

IN RE: PETITIONS FOR SPECIAL HEARING	*	BEFORE THE
AND VARIANCE – SE/Corner York Road		
and Hampton Road	*	ZONING COMMISSIONER
(1823 York Road)		
8 <sup>th</sup> Election District	*	OF BALTIMORE COUNTY
3 <sup>rd</sup> Councilmanic District		
	*	Case No. 99-488-SPHA
CAA Limited Partnership		
Petitioners	*	

\* \* \* \* \*

### FINDINGS OF FACTS AND CONCLUSIONS OF LAW

This matter again comes before this Zoning Commissioner for consideration of revised Petitions for Special Hearing and Variance relief for the property known as 1823 Timonium Road. The Petitions were filed by the owners of the subject property, CAA Limited Partnership, by J. Edward Johnston, General Partner, through their attorney, Francis X. Borgerding, Jr., Esquire. Previously, the Petitions were filed and the matter was scheduled for a hearing on July 27, 1999. Due to a misunderstanding and lack of legal representation, no one appeared at that hearing. Thus, an Order was issued on July 30, 1999 denying the requested relief. Subsequently, the Petitioners requested a reconsideration of the Order and a second hearing was scheduled for October 12, 1999. At that time, a representative from W. T. Sadler Surveyors, Inc. appeared. However, that representative was not familiar with the process and was unable to address the issues presented in the Petitions. Thus, the requested relief was again denied by Order dated October 20, 1999. Subsequent to that Order, the Petitioners retained Francis X. Borgerding, Jr., Esquire to assist them in the process. On behalf of the Petitioners, Mr. Borgerding filed a second Motion for Reconsideration on or about November 9, 1999. Based upon the arguments contained therein, the Order of October 20, 1999 was stricken and the matter was scheduled for another hearing. Public notice of that hearing was properly posted and the hearing was conducted on March 23, 2000. Appearing at that hearing on behalf of the Petitioners was Charles E. Dashner, a principal in the

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 By [Signature]

company known as MMI Communications, a tenant of the subject building, Bruce E. Doak, the Surveyor who prepared the red-lined site plan submitted, and Francis X. Borgerding, Jr., Esquire, attorney for the Petitioners. There were no Protestants or other interested persons present.

As noted above, the Petitioners have filed amended Petitions for Special Hearing and Variance. Within the amended Petition for Special Hearing, relief is requested to approve an amendment to the previously approved site plan in Case No. 76-130-XA, and to delete/modify Restriction No. 2 thereof to permit a larger addition. In addition, amended variance relief is requested from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: From Section 204.4.C.3 to permit a front yard setback of 14 feet in lieu of the required 25 feet; from Section 204.4.C.4 to permit a side yard setback of 6 feet in lieu of the required 10 feet; and, from Section 204.4.9.c.1 to permit a landscape buffer setback to a residential zone of 10 feet in lieu of the required 20 feet. The subject property and relief sought are more particularly described on the red-lined site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

This Zoning Commissioner is familiar with the subject property by virtue of its location adjacent to the intersection of York Road and Northampton Road in Timonium. The property fronts York Road, a major commercial corridor which runs on a north/south axis through central Baltimore County. In this area of York Road, adjacent properties are developed to accommodate business/commercial/retail uses. The subject property is improved with a two-story Class A office building, to which a 1,005 sq.ft. addition has been added on the east side of the building. These improvements were permitted pursuant to the relief granted in prior Case No. 76-130-XA.

On behalf of the Petitioners, Mr. Dashner testified that the subject building is primarily occupied by MMI Communications, a high tech computer business. In addition to this computer company, a dentist also maintains an office in the building. Although the nature of the dentist's office is apparent, Mr. Dashner described the business of MMI Communications. As is the case

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with many high tech companies, there is little personal contact between employees of the company and its clients. Rather, the company does business through the Internet and provides services to clients throughout the United States and internationally.

In any event, certain improvements are proposed for the property. Specifically, the Petitioners propose razing the existing 1,005 sq.ft. addition and replacing same with a new, 1,474 sq.ft. addition that will be two stories in height. Testimony indicated that the new addition will be designed and constructed so as to match the existing building, not only in terms of architectural appearance, but also to create a uniform front and rear building face. As more particularly shown on the site plan, the addition will be offset a significant depth from both the rear and side property lines.

Special hearing relief is requested to permit the proposed improvements as a modification to the previously approved plan. The original Order issued in Case No. 76-130-XA contained a restriction providing that any additions to the building could not exceed the square footage indicated on the plat submitted in that case and dated October 13, 1975. In that the proposed addition will be slightly larger than that allowed in the prior case, a modification of that restriction is requested. In addition, three variances are requested. The first is to legitimize an existing condition on the property. As shown on the site plan, a 14-foot setback exists between the office building and the front property line adjacent to York Road. The Petitioners seek to legitimize this condition which has existed since the building was constructed and is not related to the proposed addition. The second variance is related to the proposed addition. In this regard, a 6-foot side yard setback is requested in lieu of the required 10 feet. It is to be noted that the side yard impacted by this request abuts the rear of a major shopping center, known as the Grand York Center, which is occupied by a large Mars Supermarket, a bank, and a number of tenants within a strip mall. Surely, the proposed addition will cause no adverse impact on those businesses.

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The third variance actually represents an improvement to existing conditions on the property. As noted above, the rear of the property abuts a residential community located further down Northampton Road from its intersection with York Road. The Petitioners propose a realignment of the existing parking lot which is located to the rear of the subject property. This realignment will actually result in a greater setback than is currently provided from the lot to the rear property line. Nonetheless, variance relief is requested to allow a 10-foot landscape buffer in lieu of the required 20 feet.

In my judgment, the Petitioners requests represent an upgrade to the subject property. I believe that the proposed improvements will greatly enhance the property without adversely impacting the residential community to the rear of this site. In my view, the Petitioners have complied with the requirements of Section 307 of the B.C.Z.R. for variance relief to be granted. I find that the property is unique by virtue of its shape and configuration; that a practical difficulty would result if variance relief were denied; and, that variance relief can be granted without detrimental impact to surrounding properties. I am also persuaded that there will be no detrimental impact to the health, safety or general welfare of the surrounding locale, thereby warranting the approval of the special hearing and variance relief sought.

However, in granting the relief I will impose certain restrictions as suggested by the Office of Planning in their Zoning Advisory Committee comments. The proposed addition should be designed to be consistent with the existing office building and building elevation drawings showing the proposed addition shall be submitted to the Office of Planning for review and approval prior to the issuance of any building permits. The Petitioners shall also submit a landscape plan for review and approval by the County's Landscape Architect, Mr. Avery Harden, to insure that sufficient screening exists between the subject property and the residential community to the rear of the site. Lastly, it was indicated that an identification sign advertising the

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By [Signature]



businesses on the subject property is located in the right-of-way for York Road. The Petitioners indicated that this sign would be relocated and that any signage would conform with the sign requirements of the B.C.Z.R. Absent a request for variance from the sign regulations, all signage shall indeed be as permitted by the regulations.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons set forth herein, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 30<sup>th</sup> day of March, 2000 that the Petition for Special Hearing to approve an amendment to the previously approved site plan in Case No. 76-130-XA, and to delete/modify Restriction No. 2 thereof to permit a larger addition, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: From Section 204.4.C.3 to permit a front yard setback of 14 feet in lieu of the required 25 feet; from Section 204.4.C.4 to permit a side yard setback of 6 feet in lieu of the required 10 feet; and, from Section 204.4.9.c.1 to permit a landscape buffer setback to a residential zone of 10 feet in lieu of the required 20 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) Prior to the issuance of any permits, the Petitioners shall submit a landscape plan for review and approval by the Landscape Architect for Baltimore County. Said plan shall provide for sufficient screening of the subject property from the residential community to the rear of this site.

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Date 3/30/00  
By [Signature]

- 3) The existing sign which is presently located in the York Road right-of-way, shall be relocated within thirty (30) days of the date of this Order. All signage on the subject property shall be in compliance with the zoning regulations set forth in the B.C.Z.R.
- 4) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

  
LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:bjs

cc: Francis X. Borgerding, Jr., Esquire  
409 Washington Avenue, Suite 600, Towson, Md. 21204  
Mr. J. Edward Johnston  
4102 Greenway Road, Baltimore, Md. 21218  
Mr. Charles A. Dashner, 7900 Lowtide Court, Pasadena, Md. 21122  
Mr. Bruce E. Doak, Gerhold, Cross & Etzel  
320 East Towsontown Boulevard, Suite 100, Towson, Md. 21286  
People's Counsel; Case File

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Date 3/30/11  
By [Signature]

IN RE: PETITIONS FOR SPECIAL HEARING \* BEFORE THE  
AND VARIANCE – SE/Corner York Road \*  
and Hampton Road \* ZONING COMMISSIONER  
(1823 York Road) \*  
8<sup>th</sup> Election District \* OF BALTIMORE COUNTY  
3<sup>rd</sup> Councilmanic District \*  
Case No. 99-488-SPHA  
J. Edward Johnston \*  
Petitioner \*

\* \* \* \* \*

ORDER ON THE SECOND MOTION FOR RECONSIDERATION

WHEREAS, this matter again comes before me on a Second Motion for Reconsideration filed by the owner of the subject property, J. Edward Johnston, through Francis X. Borgerding, Jr., an attorney recently retained by the Petitioner to assist him through the zoning process.

By way of background, the Petitioner filed Petitions for Special Hearing and Variance relief to facilitate a proposed addition to the existing building on the subject property. Pursuant to the Petitions filed, the Petitioner sought approval of an amendment to a previously approved site plan in Case No. 76-130-XA and Restriction No. 2 thereof, and a series of variances from the Baltimore County Zoning Regulations (B.C.Z.R.). Specifically, the Petitioner sought variance relief as follows: From Section 409.6.A.2 to permit 16 parking spaces in lieu of the required 22 spaces; from Section 450 to permit an existing sign to be located and extend into a public right-of-way in lieu of the requirement that same be outside the public right-of-way; and, from Section 450.5.M to permit a sign 19.6 sq.ft. in area (per face) in lieu of the maximum allowed 15 sq.ft., with a height of 8.4 feet in lieu of the maximum allowed 6 feet. The existing and proposed improvements, as well as the relief sought were more particularly described on the site plan submitted with the Petitions filed and incorporated into the case file.

Originally, the Petitions were scheduled for a public hearing before this Zoning

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Date 11/15/99  
BY [Signature]

Commissioner on July 27, 1999. No one appeared at the hearing and an Order dismissing the case was subsequently issued on July 30, 1999. Subsequent to the issuance of said Order, a series of telephone calls between this Zoning Commissioner and the Petitioner determined that the property had not been posted with a notice of the public hearing, and further, that the Petitioner misunderstood the process.

I subsequently agreed to reschedule the matter for a hearing on October 12, 1999; however, again, neither the Petitioner nor his representative appeared. The only individual in attendance was Robert August, a representative of W. T. Sadler Surveyors, the consulting firm which had prepared the site plan filed with the Petitions. Mr. August, however, was unable to address the specific issues presented.

Pursuant to my Order dated October 20, 1999, I denied the Petitioner's Motion for Reconsideration and suggested that the Petitioner consider retaining legal counsel to represent him in future zoning matters.

The Petitioner now comes before me on a second Motion for Reconsideration which was filed on his behalf by Francis X. Borgerding, Jr., Esquire, an experienced attorney who is familiar with the zoning process. On behalf of the Petitioner, Mr. Borgerding asserts that his client believed that the representative from the W.T. Sadler Company would be able to represent him at the prior hearing, without the necessity of other witnesses. Moreover, Mr. Borgerding reports that the Petitioner now fully understands his obligation to produce evidence sufficient to support the granting of the requested relief and respectfully requests that I reconsider this matter.

In consideration of the Petitioner's second request for reconsideration, through his attorney, I am persuaded to reschedule the matter for a third hearing. By copy of this Order to Ms. Gwendolyn Stephens, Docket Clerk, notice shall be given that this matter can be rescheduled before me on the next available hearing date. Moreover, the Petitioner shall be required to re-

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Date 11/5/99  
[Signature]

advertise and re-post the property, to give the public adequate notice of the rescheduled hearing date, time and location.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 15<sup>th</sup> day of November, 1999 that the Order issued on October 20, 1999 be and is hereby STRICKEN and the above-captioned matter be rescheduled for further proceedings; and,

IT IS FURTHER ORDERED that the property be re-advertised and re-posted, as required, giving public notice of the hearing date, time and location of the rescheduled hearing.



LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:bjs

cc: Francis X. Borgerding, Jr., Esquire  
409 Washington Avenue, Suite 600, Towson, Md. 21204  
Mr. J. Edward Johnston  
4102 Greenway Road, Baltimore, Md. 21218  
Mr. Robert August, W. T. Sadler Surveyors  
152 Westminster Pike, Reisterstown, Md. 21136  
Mr. Gwendolyn Stephens, DPDM; People's Counsel; Case File

DATE FILED  
11/15/99  
bjs

IN RE: PETITIONS FOR SPECIAL HEARING \* BEFORE THE  
AND VARIANCE - SE/Corner York Road \* ZONING COMMISSIONER  
and Hampton Road \*  
(1823 York Road) \*  
8<sup>th</sup> Election District \* OF BALTIMORE COUNTY  
3<sup>rd</sup> Councilmanic District \*  
Case #: 99-488-SPHA  
J. Edward Johnston \*  
Petitioner \*

\* \* \* \* \*

**MOTION FOR RECONSIDERATION**

Petitioner, by and through its attorney, Francis X. Borgerding, Jr., files this Motion for Reconsideration and in support of says:

1. On October 20, 1999, the Honorable Lawrence E. Schmidt, Zoning Commissioner for Baltimore County, entered an Order denying Petitioner's requested relief in the above-captioned matter.

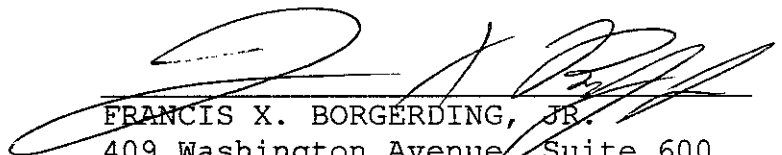
2. That the Commissioner's basis for denial was that Petitioner failed to produce sufficient evidence in support of its Petition at the rescheduled hearing of this matter conducted October 12, 1999.

3. That the Petitioner apologizes to the Zoning Commissioner for its failure to produce the owner's representative or other qualified witnesses at the October 12, 1999 hearing of this matter. The Petitioner by way of explanation asserts that it was under the mistaken impression that the testimony in the above-captioned case could be handled

by a representative of W. T. Saddler, surveyor, on October 12, 1999 without the necessity of other witnesses representing the Petitioner. The Petitioner now fully understands its obligation to produce evidence sufficient to support the granting of its requested relief and apologizes for time expended by the Zoning Commissioner at the hearing on October 12, 1999, as well as previously scheduled hearing in this case.

4. Petitioner is now represented by undersigned counsel and hereby requests that the Order of October 20, 1999 be reconsidered and this matter be reset in for hearing before the Zoning Commissioner in order that the Petitioner may fully put forward its evidence in support of the Petition filed in the above-captioned case.

Respectfully submitted,

A large, stylized handwritten signature in black ink, appearing to read 'Francis X. Borgerding, Jr.', is written over a horizontal line.

FRANCIS X. BORGERDING, JR.  
409 Washington Avenue, Suite 600  
Towson, Maryland 21204  
410-296-6820  
ATTORNEY FOR PETITIONER

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 8<sup>th</sup> day of November, 1999, a copy of the Motion for Reconsideration was mailed, postage prepaid, to:

People's Counsel for Baltimore County  
Old Court House, Room 47  
400 Washington Avenue  
Towson, Maryland 21204



FRANCIS X. BORGERDING, JR.



IN RE: PETITIONS FOR SPECIAL HEARING	* BEFORE THE
AND VARIANCE – SE/Corner York Road	
and Hampton Road	* ZONING COMMISSIONER
(1823 York Road)	
8 <sup>th</sup> Election District	* OF BALTIMORE COUNTY
3 <sup>rd</sup> Councilmanic District	
	* Case No. 99-488-SPHA
J. Edward Johnston	
Petitioner	*

\* \* \* \* \*

### ORDER

This matter again comes before me for a re-hearing following a grant of a Motion for Reconsideration on August 23, 1999. By way of background, the Petitioner/property owner, J. Edward Johnston, previously filed Petitions for Special Hearing and Variance relief for proposed improvements to the property known as 1823 York Road in Timonium. Under the Petition for Special Hearing, relief was requested to approve an amendment to a previously approved site plan in prior Case No. 76-130-XA so as to amend Restriction No. 2 thereof. The Petition for Variance sought relief from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: From Section 409.6.A.2 to permit 16 parking spaces in lieu of the required 22 spaces; from Section 450 to permit an existing sign to be located and extend into a public right-of-way in lieu of the requirement that same be outside the public right-of-way; and, from Section 450.5.M to permit a sign 19.6 sq.ft. in area (per face) in lieu of the maximum allowed 15 sq.ft., with a height of 8.4 feet in lieu of the maximum allowed 6 feet. The subject property and relief sought were more particularly described on the site plan submitted with the Petitions filed and incorporated into the case file.

The B.C.Z.R. clearly state the method by which special hearing and variance relief can be obtained. Essentially, any property owner who seeks a variance from the zoning regulations or an interpretation thereof (i.e. special hearing), files the requisite Petition(s) with the Department of Permits and Development Management (DPDM). Thereafter, the property is posted with a sign

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providing public notice of the Petitions filed and the nature of the requested relief. Additionally, an advertisement is placed in a newspaper of general circulation advising the public of the hearing date. The matter is then convened for public hearing before the Zoning Commissioner/Deputy Zoning Commissioner. At that hearing, the Petitioner and any interested person(s), either in support of or in opposition to the request, is provided the opportunity to testify and present evidence. As is well-settled under the law, it is the Petitioner's/Applicant's burden to adduce testimony and evidence in support of the Petitions.

In this case, the property was duly posted and advertised of the Petitions filed. Originally, the Petitions were scheduled for a public hearing before this Zoning Commissioner on July 27, 1999. However, no one appeared at the hearing. It was later determined that the property had not been posted and that the Petitioner apparently misunderstood the process. There then followed a series of telephone calls between this Zoning Commissioner and the Petitioner and/or his representative during which time the process was explained in detail. Subsequently, a Motion for Reconsideration was granted so as to provide the Petitioner an opportunity to appear before me and present his position. The matter was reset for another hearing to be conducted on October 12, 1999. Moreover, notice of the hearing was posted on the property at least 15 days in advance, pursuant to the Certificate of Posting dated September 24, 1999, and an advertisement was placed in the Jeffersonian (newspaper), pursuant to the Certificate of Publication dated September 23, 1999.

Inexplicably, neither the Petitioner nor his representative appeared at the second hearing. The only individual in attendance identified himself as Robert August, a representative of W. T. Sadler Surveyors. The Sadler Company had prepared the site plan filed with the Petitions. To his credit, Mr. August attempted to explain the relief being requested; however, he clearly was not prepared to address the specific issues presented. He indicated that he did not know the nature

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DATE 10/28/99  
BY [signature]

of the businesses conducted on site and was unfamiliar with the details of the request set forth in the Petitions. He indicated that the Petitioner (Mr. Johnston) apparently proposed an addition to an existing building on the property. The site plan shows a proposed addition of 1,584 sq.ft. to an existing building currently containing 4,850 sq.ft. The property, which is located adjacent to the intersection of Northampton Road and York Road in Timonium, is approximately .368 acres in area, zoned R.O., and is improved with a structure which has apparently been converted to office use. Mr. August was unable to identify the nature of the businesses which are conducted on site, other than to state that Mr. Johnston operates a business on those premises, as does a dentist. Photographs attached to the Certificate of Posting disclose that three businesses occupy the premises, to wit, Membership Management, Inc., Forecast Research Systems, and the dental office of Richard A. Boyce, D.D.S.

It is the Petitioner who has the burden of persuading this Zoning Commissioner that a deviation from the zoning requirements (i.e., a zoning variance) should be granted. The Petitioner also has the burden of adducing testimony in support of his request that the prior Order be amended through the Petition for Special Hearing. The limited information offered by Mr. August is insufficient to persuade this Zoning Commissioner to grant the Petitions filed. In fact, I am perplexed that the Petitioner has apparently such a poor understanding of the process and procedure, when he and his representatives have been repeatedly advised of same. Under the circumstances, I have no alternative but to deny the Petitions. Moreover, having provided the Petitioner with two bites of the apple, I am disinclined to revisit this issue through another request for reconsideration. The Petitioner may file an appeal of this decision to the County Board of Appeals, if he so desires.

Pursuant to the advertisement, posting of the property and public hearing on this Petitions held, and for the reasons set forth herein, the relief requested shall be denied.



IN RE: PETITIONS FOR SPECIAL HEARING \* BEFORE THE  
AND VARIANCE – SE/Corner York Road \* ZONING COMMISSIONER  
and Hampton Road \* OF BALTIMORE COUNTY  
(1823 York Road) \*  
8<sup>th</sup> Election District \* Case No. 99-488-SPHA  
3<sup>rd</sup> Councilmanic District \*  
  
J. Edward Johnston \*  
Petitioner \*

\* \* \* \* \*

ORDER ON THE MOTION FOR RECONSIDERATION

WHEREAS this matter was scheduled for a public hearing before this Zoning Commissioner on July 27, 1999 for consideration of Petitions for Special Hearing and Variance filed by the owner of the subject property, J. Edward Johnston. The Petitioner sought special hearing and variance relief for proposed improvements to the property, known as 1823 York Road, in accordance with the site plan submitted with the Petitions filed and contained in the case file.

WHEREAS, no one appeared on behalf of the Petitioner to participate in the proceedings. Moreover, there was no evidence in the file to indicate that the property had been posted with a notice of public hearing, as required, although a Certificate of Publication was contained therein. There being no testimony or evidence presented on behalf of the requests, the Petitions for Special Hearing and Variance were dismissed without prejudice by my Order dated July 30, 1999.

Subsequent to the issuance of said Order, this Zoning Commissioner received a telephone call and follow-up letter from Mr. Johnston, owner of the property, seeking a reconsideration of the matter. Apparently, through a mix-up on their part, no one appeared to present their position, and it was confirmed that the property was not posted. Mr. Johnston requested that I reschedule the matter so that he might have an opportunity to properly present his case.

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Date 8/23/99  
By [Signature]

After due consideration of the Petitioner's request, I am persuaded to grant the Motion for Reconsideration. The Petitioner is hereby advised to contact Ms. Sophia Jennings, Department of Permits and Development Management (DPDM), to reschedule this matter for a public hearing before me on the next available hearing date. Moreover, the Petitioner shall be required to re-advertise the property, and post the property with a sign giving public notice of the rescheduled hearing date, time and location. Ms. Jennings can supply you with the names and telephone numbers of those individuals who post such signs.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 23<sup>d</sup> day of August, 1999 that the Order issued in the above-captioned matter on July 30, 1999 shall be STRIKEN, and the matter be rescheduled for further proceedings; and,

IT IS FURTHER ORDERED that the property be re-advertised and properly posted, as required, giving public notice of the hearing date, time and location of the rescheduled hearing.

  
LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:bjs

cc: Mr. J. Edward Johnston  
4102 Greenway Road, Baltimore, Md. 21218  
\* Ms. Sophia Jennings, DPDM; People's Counsel; Case File  
\*410-887-3391

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Date 8/23/99  
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IN RE: PETITIONS FOR SPECIAL HEARING \* BEFORE THE  
AND VARIANCE – SE/Corner York Road \* ZONING COMMISSIONER  
and Hampton Road \*  
(1823 York Road) \*  
8<sup>th</sup> Election District \* OF BALTIMORE COUNTY  
3<sup>rd</sup> Councilmanic District \*  
J. Edward Johnston \* Case No. 99-488-SPHA  
Petitioner \*

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

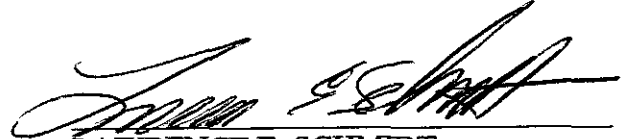
WHEREAS this matter was scheduled for a public hearing before this Zoning Commissioner on July 27, 1999 for consideration of Petitions for Special Hearing and Variance filed by the owner of the subject property, J. Edward Johnston. The Petitioner requested a special hearing to approve an amendment to the previously approved site plan in prior Case No. 76-130-XA, and Restriction No. 2 of the Order issued in that case. In addition, the Petitioner requested a variance from Section 409.6.A.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit 16 parking spaces in lieu of the required 22 and to permit an existing sign to extend into the public right-of-way for York Road, a State road. Moreover, the Petitioner sought relief from Section 450.5.M of the B.C.Z.R. to permit a double-faced sign of 19.6 sq.ft. per face in lieu of the maximum allowed 15 sq.ft., with a height of 8.4 feet in lieu of the maximum allowed 6 feet. The subject property and requested relief are more particularly shown on the site plan submitted with the Petitions filed and contained within the case file.

WHEREAS, no one appeared on behalf of the Petitioner to offer testimony in support of the requests. Moreover, there was no evidence in the file to indicate that the property had been posted, although a Certificate of Publication was contained within the case file.

There being no testimony or evidence presented to support the relief requested, the Petitions for Special Hearing and Variance shall be dismissed without prejudice.

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Date 7/30/99  
By [Signature]

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County  
this 30<sup>th</sup> day of July, 1999 that the Petitions for Special Hearing and Variance filed in the  
above-captioned matter, be and the same are hereby DISMISSED without prejudice.



LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:bjs

cc: Mr. J. Edward Johnston  
4102 Greenway Road, Baltimore, Md. 21218  
People's Counsel; Case File

ORDER RECEIVED FOR FILING  
Date 7/30/99  
By [Signature]





# Petition for Special Hearing

## to the Zoning Commissioner of Baltimore County

for the property located at 1823 York Road, Timonium, MD 21093  
which is presently zoned R.O.

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve an amendment to the previously approved site plan in case number 76-130-XA.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

Francis X. Borgerding, Jr.

(Type or Print Name)

Signature

409 Washington Ave., Ste.600

Address

Phone No.

Towson, MD 21204

410-296-6820

City

State

Zipcode

Legal Owner(s):

CAA Limited Partnership

(Type or Print Name)

Signature

J. Edward Johnston, General Partner

(Type or Print Name)

Signature

1823 York Road 410-561-1500

Address

Phone No.

Timonium MD. 21093

City

State

Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

Francis X. Borgerding, Jr.

Name

409 Washington Ave., Ste.600, Towson, MD

Address

21204

410-296-6820

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

RETURNED BY: act

DATE 2/10/00

ORDER RECEIVED FOR FILING

Date 3/30/00

By [Signature]

REVISED

Zoning Administration

99-488-SPHA

Drop Off

No Review





# Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 1623 York Road, Timonium, MD. 21093  
which is presently zoned Ro

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve AN AMENDMENT TO A PREVIOUSLY APPROVED PLAN IN CASE #76-130-XA (PERSUANT TO SECTION 502.5-A) AND AMEND RESTRICTION #2 IN THIS ORDER.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

## Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

## Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

## Legal Owner(s):

J. EDWARD Johnston  
Name - Type or Print

Signature

Name - Type or Print

Signature

Address

Telephone No.

4102 Greenway

410-561-1500 ext 17

City BALTIMORE

State MD

Zip Code 21218

## Representative to be Contacted:

SAME  
Name

Address

Telephone No.

City

State

Zip Code

## OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING \_\_\_\_\_

UNAVAILABLE FOR HEARING \_\_\_\_\_

Case No. 99-488 SPHA

Reviewed By JCM Date 6-2-99



# Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1873 York Road, Timonium MD  
which is presently zoned RO

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 409.6.A.2, BEZB, TO PERMIT 16 PARKING SPACES IN LIEU OF THE REQUIRED 22 SPACES & TO PERMIT AN EXISTING SIGN TO EXTEND INTO THE PUBLIC RIGHT-OF-WAY AND FROM SECTION 450.5.M, TO PERMIT 19.6 SQ. FT. OF SIGNAGE PER FACE IN LIEU OF THE PERMITTED 15 SQ. FT. AND A HT. OF 8.4 FT. IN LIEU OF THE PERMITTED 6 FT. of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

TO BE PRESENTED AT HEARING.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

## Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

## Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Case No.

99-488-SPHA

REC 9/15/98

## Legal Owner(s):

~~J. EDWARD~~ J. EDWARD JOHNSTON

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

Telephone No.

4102 Greenway

410-561-1500 EXT 17

City BALTO

State MD

Zip Code

21218

## Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

## OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By JCM

Date 6-2-99



# Petition for Variance

## to the Zoning Commissioner of Baltimore County

for the property located at 1823 York Road, Timonium, MD 21093

which is presently zoned R.O.

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 204.4.C.3 of the B.C.Z.R. to allow a front yard setback of 14' in lieu of the required 25'. Variance from Section 204.4.C.4 of the B.C.Z.R. to allow a side yard setback of 6' in lieu of the required 10'. Variance from Section 204.4.9.c.1 of the B.C.Z.R. to allow 10' of landscape buffer to a residential zone in lieu of the required 20'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

1. Size and shape of property;
2. Uniqueness of property; and
3. For such other and further reasons as to be presented at the hearing of this matter.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner:

Francis X. Borgerding, Jr.

(Type or Print Name)

Signature

409 Washington Avenue, Suite 600

Address Phone No.  
Towson, MD 21204 410-296-6820

City State Zipcode

Legal Owner(s):

CAA Limited Partnership

(Type or Print Name)

Signature

J. Edward Johnston, General Partner  
(Type or Print Name)

Signature

1823 York Road 410-561-1500  
Address Phone No.

Timonium MD. 21093  
City State Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

Francis X. Borgerding, Jr.  
Name

409 Washington Ave., Ste. 600, Towson, MD.  
Address 21204 410-296-6820 Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING  
unavailable for Hearing

the following dates \_\_\_\_\_ Next Two Months

ALL \_\_\_\_\_ OTHER \_\_\_\_\_

REVIEWED BY: uc DATE 2/10/00

ORDER RECEIVED FOR FILING  
DATE 3/30/00  
BY [Signature]

REVISED

99-488-SPHA

Drop-off No Review

GORDON T. LANGDON  
EDWARD F. DEIACO-LOHR  
BRUCE E. DOAK

**GERHOLD, CROSS & ETZEL, LTD.**

*Registered Professional Land Surveyors*

SUITE 100  
320 EAST TOWSONTOWN BOULEVARD  
TOWSON, MARYLAND 21286-5318

410-823-4470  
FAX 410-823-4473

**EMERITUS**  
PAUL G. DOLLENBERG  
FRED H. DOLLENBERG  
CARL L. GERHOLD  
PHILIP K. CROSS  
**OF COUNSEL**  
JOHN F. ETZEL  
WILLIAM G. ULRICH

December 14, 1999

**ZONING DESCRIPTION**

**NO. 1823 YORK ROAD**

**OWNER: CAA LIMITED PARTNERSHIP**

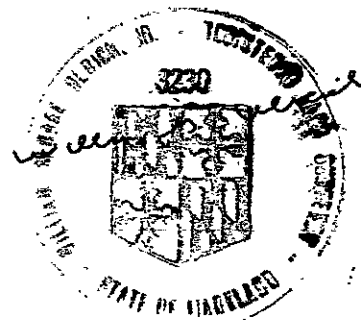
**EIGHTH ELECTION DISTRICT - THIRD COUNCILMANIC DISTRICT**

Beginning for the same on the easternmost side of York Road, Maryland Route 45 as widened and shown on Maryland State Roads Commission Plat No. 41986 at a point measured South 20 degrees 23 minutes 21 seconds East 49.60 feet more or less from the centerline of Northampton Road, thence running by a line connecting the easternmost side of York Road to the southernmost side of Northampton Road, 1) North 26 degrees 40 minutes 18 seconds East 39.45 feet, thence binding on southernmost side Northampton Road, 2) North 65 degrees 23 minutes 46 seconds East 107.48 feet to the end of the second or North 15 degrees 08 minutes West 60.18 foot line of the second parcel of land in a deed recorded among the Land Records in Liber E.H.K., Jr. No. 5976 folio 128, thence leaving Northampton Road and binding on the land of the herein petitioners, 3) South 20 degrees 23 minutes 21 seconds East 120.37 feet and, 4) South 65 degrees 23 minutes 46 seconds West 136.44 feet to the easternmost side of York Road as widened, and thence binding on the easternmost side of York Road, 5) North 20 degrees 23 minutes 21 seconds West 95.63 feet to the place of the beginning.

Containing 0.37 of an Acre of Land, more or less.

**Note:** This description only satisfies the requirements of the Office of Zoning and is not to be used for the purpose of conveyance.

**99-488-SPHA**  
**Rw 2/00**



# W. T. SADLER SURVEYORS

Phone [410] 526-5618

Fax [410] 526-7199

152 Westminster Road

Reisterstown, Maryland 21136

James C. Sadler

Date April 5, 1999

## ZONING DESCRIPTION

Property Address; 1823 York Road  
Timonium, MD. 21093

Beginning for the same at the intersection of the corner formed by the Easternmost side of YORK ROAD, 82 feet wide and the southernmost side of NORTHAMPTON ROAD, 50 feet wide, thence running and binding along the southernmost side of Northampton Road

- 1) North 26 degrees 40 minutes 18 seconds east 39.45 feet and
- 2) North 65 degrees 23 minutes 46 seconds east 107.48 feet, thence leaving said Road
- 3) South 20 degrees 23 minutes 21 seconds east 120.37 feet and
- 4) South 65 degrees 23 minutes 46 seconds west 136.44 feet to intersect the aforesaid York Road, thence with the same
- 5) North 20 degrees 23 minutes 21 seconds west 95.63 feet to the place of beginning, containing 16, 022 square feet or 0.368 acres of land, more or less.

The premises thereon being known as 1823 YORK ROAD.



James C. Sadler Reg. No. 449

488

99-488-SPHA

BALTIMORE COUNTY, MARYL  
OFFICE OF BUDGET & FINANCE  
MISCELLANEOUS RECEIPT

DATE 6.2.99 ACCOUNT Recpt-6150

No. 065393

AMOUNT \$ 500.00

RECEIVED FROM: J. Johnson

1823 York Rd.

FOR: 6021 UMR.  
6413 SP. HRC.

DISTRIBUTION  
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

*Signature*

PAID RECEIPT

PROCESS ACTUAL TIME  
6/02/1999 6/02/1999 09:50:42  
REG 06306 CASHIER KIM KIM DRABER  
DAPP 5 528 ZONING VERIFICATION  
Receipt # 07398  
CR NO. 065393

Recpt Tot 500.00  
500.00 OK  
Baltimore County, Maryland

99-488-SPHA

CASHIER'S VALIDATION



BALTIMORE COUNTY, MARYLAND  
OFFICE OF BUDGET & FINANCE  
MISCELLANEOUS RECEIPT

No. 078987

DATE 2/10/00 ACCOUNT 001-6130

AMOUNT \$ 100.00

RECEIVED FROM: FRANCIS CORRECTIONAL

FOR: Revision Fee

99-488-3PHA

DISTRIBUTION  
WHITE - CASHIER      PINK - AGENCY      YELLOW - CUSTOMER

CASHIER'S VALIDATION

PAID RECEIPT  
DATE 2/10/00  
BY [Signature]  
FOR [Signature]  
AMOUNT \$ 100.00  
TOTAL \$ 100.00  
BALANCE \$ 0.00  
RECEIVED BY [Signature]  
DATE 2/10/00

**NOTICE OF ZONING HEARINGS**

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #99-488-SPHA

1823 York Road

E/S York Road, SEC York and North Hampton Roads

8th Election District - 4th Councilmanic District

Legal Owner(s): J. Edward Johnston

Special Hearing: to approve an amendment to a previously approved plan in case number 76-130-XA and amend restriction #2.

Variance: to permit 16 parking spaces in lieu of the required 22 spaces; to permit an existing sign to extend into the public right-of-way; and to permit 19.6 square feet of signage per face in lieu of the permitted 15 square feet and a height of 8.4 square feet in lieu of the permitted 6 feet.

Hearing: Tuesday, July 27, 1999 at 9:00 a.m. in Room 407, County Courts Bldg., 401 Bosley Avenue.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at: (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.  
7/13/99 July 8 C323899

**CERTIFICATE OF PUBLICATION**

TOWSON, MD., 7/8/, 1999

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 7/8/, 1999.

**THE JEFFERSONIAN,**

*J. Wilkinson*

**LEGAL ADVERTISING**

**NOTICE OF ZONING HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: 99-488-SPHA  
1823 York Road  
E/S York Road, SEC York and North Hampton Roads  
8th Election District - 4th Councilmanic District  
Legal Owner: J. Edward Johnston

**Special Hearing:** to approve an amendment to a previously approved plan in case number 76-130-XA and amend restriction #2.

**Variance:** to permit 16 parking spaces in lieu of the required 22 spaces; to permit an existing sign to extend into the public right-of-way; and to permit 19.6 square feet of signage per face in lieu of the permitted 15 square feet and a height of 8.4 square feet in lieu of the permitted 6 feet.

**Hearing:** Tuesday, October 12, 1999 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT  
Zoning Commissioner for  
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4396.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

9/27/1 Sent 23

C341193

**CERTIFICATE OF PUBLICATION**

TOWSON, MD., 9/23/, 1999

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 9/23/, 1999.

**THE JEFFERSONIAN,**

*J. Wilkinson*

**LEGAL ADVERTISING**

#### NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case #: 99-488-SPHA

1823 York Road

E/S York Road, SEC York and North Hampton Roads

8th Election District - 4th Councilmanic District

Legal Owner(s): CAA Limited Partnership

**Special Hearing:** to amend the site plan in case number 76-130-XA. **Variance:** to allow a front yard setback of 14 feet in lieu of the required 25 feet, to allow a side yard setback of 6 feet in lieu of the required 10 feet; and to allow 10 feet of the landscape buffer to be a residential zone in lieu of the required 20 feet.

**Hearing:** Thursday, March 23, 2000 at 10:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake Avenue.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

JT/3/606 March 7

C374777

## CERTIFICATE OF PUBLICATION

TOWSON, MD, 3/9/, 2000

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 3/7/, 2000.

*S. Wilkinson*  
THE JEFFERSONIAN,

LEGAL ADVERTISING

# ZONING NOTICE

Case # 99-130-SPHA

PUBLIC HEARING WILL BE HELD BY  
THE ZONING COMMISSIONER  
IN TOWSON, MD.

ROOM 407 COUNTY COURTS BUILDING  
PLACE - 401 BOSLEY AVE. TOWSON, MD.

TUESDAY, OCTOBER 12, 1999  
TIME & DATE : AT 9:00 A.M.

SPECIAL HEARING TO APPROVE AN AMENDMENT TO A  
PREVIOUSLY APPROVED PLAN IN CASE NO. 76-130-KA AND  
AMEND RESTRICTION #2. VARIANCE TO PERMIT 16 PARKING  
SPACES IN LIEU OF THE REQUIRED 22 SPACES; TO PERMIT AN  
EXISTING SIGN TO EXTEND INTO THE PUBLIC RIGHT-OF-WAY;  
AND TO PERMIT 19.6 SQUARE FEET OF SIGNAGE PER  
FACE IN LIEU OF THE PERMITTED 15 SQUARE FEET AND  
A HEIGHT OF 8.4 SQUARE FEET IN LIEU OF THE  
PERMITTED 6 FEET.

# CERTIFICATE OF POSTING

RE: Case No.: 99-488-SPHA

Petitioner/Developer: \_\_\_\_\_

J. EDWARD JONKUSTON

Date of Hearing/Closing: OCT. 12, 1999

Baltimore County Department of  
Permits and Development Management  
County Office Building, Room 111  
111 West Chesapeake Avenue  
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law  
were posted conspicuously on the property located at \_\_\_\_\_

# 1823 YORK ROAD

The sign(s) were posted on SEPT. 24, 1999  
(Month, Day, Year)

Sincerely,

Garland E. Moore  
(Signature of Sign Poster and Date)

GARLAND E. MOORE  
(Printed Name)

3225 RYERSON CIRCLE  
(Address)

BALTIMORE, MD. 21227  
(City, State, Zip Code)

(410) 242-4263  
(Telephone Number)

# ZONING NOTICE

Case #: 99-488-SPHA

A PUBLIC HEARING WILL BE HELD BY  
THE ZONING COMMISSIONER  
IN TOWSON, MD.

PLACE *1823 York Road, Towson, MD 21204*  
TIME & DATE *10<sup>th</sup> PM, Thurs, March 23, 2000*

*Special Hearing To Review The Site Plan For Case  
Number 99-488-SPHA. Hearing To Allow A Street View  
Setback of 24 Feet in Lieu of The Required 35  
Feet. To Allow A 500 Yard Setback of 6 Feet  
in Lieu of The Required 10 Feet. And To  
Allow a 10 Foot of The Landscape Buffer To Be  
A Reduced 5 Foot in Lieu of The Required 20 Feet.*

1823 York Road

RECEIVED

SEP 27 1999

DEPT. OF PERMITS AND  
DEVELOPMENT MANAGEMENT

**CERTIFICATE OF POSTING**

**RE: CASE # 99-488-SPHA  
PETITIONER/DEVELOPER  
(CAA Limited Part.)  
DATE OF Hearing  
( 3-23-00)**

**BALTIMORE COUNTY DEPARTMENT OF  
PERMITS AND DEVELOPMENT MANAGEMENT  
COUNTY OFFICE BUILDING, ROOM 111  
111 WEST CHESAPEAKE AVE.  
TOWSON, MARYLAND 21204**

**ATTENTION : MS. GWENDOLYN STEPHENS**

**LADIES AND GENTLEMEN:**

**THIS LETTER IS TO CERTIFY UNDER THE PENALTIES OF PERJURY THAT THE NECESSARY  
SIGNS(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE PROPERTY LOCATED AT**

**1823 York Road Baltimore, Maryland 21093\_\_\_\_\_**

---

**THE SIGN(S) WERE POSTED ON\_\_\_\_\_ 3-7-00 \_\_\_\_\_**  
**(MONTH, DAY, YEAR)**

**SINCERELY,**

  
**(SIGNATURE OF SIGN POSTER & DATE)**

**\_\_\_\_\_ THOMAS P. OGLE SR. \_\_\_\_\_**

**\_\_\_\_\_ 325 NICHOLSON ROAD \_\_\_\_\_**

**\_\_\_\_\_ BALTIMORE, MARYLAND 21221 \_\_\_\_\_**

**\_\_\_\_\_ 410-687-8405 \_\_\_\_\_**  
**(TELEPHONE NUMBER)**





Baltimore County  
Department of Permits and  
Development Management

Director's Office  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
410-887-3353  
Fax: 410-887-5708

February 22, 2000

## NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-488-SPHA  
1823 York Road  
E/S York Road, SEC York and North Hampton Roads  
8<sup>th</sup> Election District – 4<sup>th</sup> Councilmanic District  
Legal Owner: CAA Limited Partnership

Special Hearing to amend the site plan in case number 76-130-XA. Variance to allow a front yard setback of 14 feet in lieu of the required 25 feet; to allow a side yard setback of 6 feet in lieu of the required 10 feet; and to allow 10 feet of the landscape buffer to be a residential zone in lieu of the required 20 feet.

HEARING: Thursday, March 23, 2000 at 10:00 a.m. in Room 106, County Office Building, 111 West Chesapeake Avenue

A handwritten signature in cursive script, appearing to read "Arnold Jablon", with a small "SJ" monogram to the right.

Arnold Jablon  
Director

c: Francis Borgerding, Jr., Esq., 409 Washington Ave., Ste. 600, Towson 21204  
CAA Limited Partnership, 1823 York Road, Timonium 21093

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MARCH 8, 2000.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



TO: PATUXENT PUBLISHING COMPANY  
Tuesday, March 7, 2000 Issue – Jeffersonian

Please forward billing to:

J. Edward Johnston  
1823 York Road  
Timonium, MD 21093

410-561-1500, ext. 17

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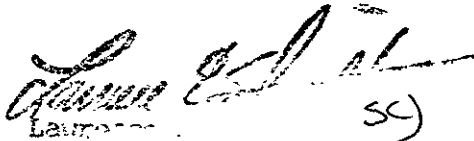
## NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-488-SPHA  
1823 York Road  
E/S York Road, SEC York and North Hampton Roads  
8<sup>th</sup> Election District – 4<sup>th</sup> Councilmanic District  
Legal Owner: CAA Limited Partnership

Special Hearing to amend the site plan in case number 76-130-XA. Variance to allow a front yard setback of 14 feet in lieu of the required 25 feet; to allow a side yard setback of 6 feet in lieu of the required 10 feet; and to allow 10 feet of the landscape buffer to be a residential zone in lieu of the required 20 feet.

HEARING: Thursday, March 23, 2000 at 10:00 a.m. in Room 106, County Office Building, 111 West Chesapeake Avenue



Lawrence E. Schmidt  
SC)

LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County  
Department of Permits and  
Development Management

Director's Office  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
410-887-3353  
Fax: 410-887-5708

September 15, 1999

## NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-488-SPHA  
1823 York Road  
E/S York Road, SEC York and North Hampton Roads  
8<sup>th</sup> Election District – 4<sup>th</sup> Councilmanic District  
Legal Owner: J. Edward Johnston

Special Hearing to approve an amendment to a previously approved plan in case number 76-130-XA and amend restriction #2. Variance to permit 16 parking spaces in lieu of the required 22 spaces; to permit an existing sign to extend into the public right-of-way; and to permit 19.6 square feet of signage per face in lieu of the permitted 15 square feet and a height of 8.4 square feet in lieu of the permitted 6 feet.

HEARING: Tuesday, October 12, 1999 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in cursive script, appearing to read "Arnold Jablon", with a small "51)" written below it.

Arnold Jablon  
Director

c: J. Edward Johnston, 4102 Greenway, Baltimore 21218  
W.T. Sadler Surveyors, 152 Westminster Road, Reisterstown 21136

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SEPTEMBER 27, 1999.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



TO: PATUXENT PUBLISHING COMPANY  
Thursday, September 23, 1999 Issue – Jeffersonian

Please forward billing to:

J. Edward Johnston                      410-561-1500, ext. 17  
1823 York Road  
Timonium, MD 21093

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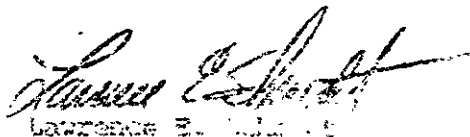
## NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-488-SPHA  
1823 York Road  
E/S York Road, SEC York and North Hampton Roads  
8<sup>th</sup> Election District – 4<sup>th</sup> Councilmanic District  
Legal Owner: J. Edward Johnston

Special Hearing to approve an amendment to a previously approved plan in case number 76-130-XA and amend restriction #2. Variance to permit 16 parking spaces in lieu of the required 22 spaces; to permit an existing sign to extend into the public right-of-way; and to permit 19.6 square feet of signage per face in lieu of the permitted 15 square feet and a height of 8.4 square feet in lieu of the permitted 6 feet.

HEARING: Tuesday, October 12, 1999 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

361

LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
pdmlandacq@co.ba.md.us

June 22, 1999

## NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-488-SPHA  
1823 York Road  
E/S York Road, SEC York and North Hampton Roads  
8<sup>th</sup> Election District – 4<sup>th</sup> Councilmanic District  
Legal Owner: J. Edward Johnston

Special Hearing to approve an amendment to a previously approved plan in case number 76-130-XA and amend restriction #2. Variance to permit 16 parking spaces in lieu of the required 22 spaces; to permit an existing sign to extend into the public right-of-way; and to permit 19.6 square feet of signage per face in lieu of the permitted 15 square feet and a height of 8.4 square feet in lieu of the permitted 6 feet.

HEARING: Tuesday, July 27, 1999 at 9:00 a.m. in Room 407, County Courts Building,  
401 Bosley Avenue

Arnold Jablon  
Director

c: J. Edward Johnston

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY JULY 12, 1999.**
- (2) **HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.**
- (3) **FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.**

Come visit the County's Website at [www.co.ba.md.us](http://www.co.ba.md.us)



Printed with Soybean Ink  
on Recycled Paper

TO: PATUXENT PUBLISHING COMPANY  
July 8, 1999 Issue – Jeffersonian

Please forward billing to:

J. Edward Johnston  
1823 York Road  
Timonium, MD 21093

410-561-1500, ext. 17

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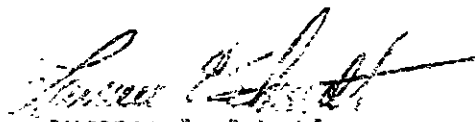
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HEARING: Tuesday, July 27, 1999 at 9:00 a.m. in Room 407, County Courts Building,  
401 Bosley Avenue



Lawrence E. Schmidt

SCJ  
LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT  
ZONING REVIEW**

**ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS**

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

**OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.**

---

---

**For Newspaper Advertising:**

Item Number or Case Number: 488

Petitioner: J. Edward Sebastian

Address or Location: 1823 York Rd, Timonium, Md 21093

PLEASE FORWARD ADVERTISING BILL TO:

Name: Same As Above

Address: \_\_\_\_\_

Telephone Number: 410-561-1500 Ext. 17

Revised 2/20/98 - SCJ

**44-488-SPHA**



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
pdmlandacq@co.ba.md.us

July 23, 1999

J. Edward Johnston  
4102 Greenway  
Baltimore, MD 21218

Dear Mr. Johnston:

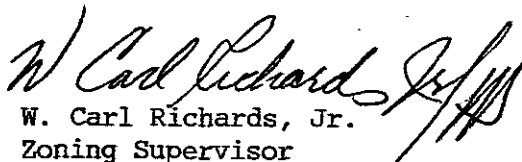
RE: Case No.: 99-488-SPHA, Petitioner: J. Edward Johnston,  
Location: 1823 York Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on June 2, 1999.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency.

Very truly yours,

  
W. Carl Richards, Jr.  
Zoning Supervisor  
Zoning Review

WCR:ggs

Enclosures

Come visit the County's Website at [www.co.ba.md.us](http://www.co.ba.md.us)





BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Department of Permits & Development  
Management

Date: July 1, 1999

FROM: Robert W. Bowling, Supervisor  
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting  
for June 28, 1999  
Item No. (488)

The Bureau of Development Plans Review has reviewed the subject zoning item. York Road, Maryland Route 45 is a State road. All improvements, intersections, entrances, drainage requirements and construction affecting a State road right-of-way are subject to the Standards, specifications and approval of the Maryland State Highway Administration in addition to those of Baltimore County.

The proposed entrance on Northampton Road will be constructed at the Developer's cost per the Department of Public Works' Std. Plate R-32, Single Commercial Entrance with Depressed Curb. Entrance to be located a minimum of 15 feet from any property line.

RWB:HJO:jrb

cc: File

ZAC06289.488



**Baltimore County  
Fire Department**

700 East Joppa Road  
Towson, Maryland 21286-5500  
410-887-4500

July 9, 1999

Arnold Jablon, Director  
Zoning Administration and Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF June 21, 1999

Item No.: See Below

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

2. The Fire Marshal's Office has no comments at this time,  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

485, 487, 488, 489, 490, 491, 492, 493, 494, 495,  
496, 497, 498, 499, 500

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4831, MS-1102F

cc: File

Come visit the County's Website at [www.co.ba.md.us](http://www.co.ba.md.us)



**A BALTIMORE COUNTY, MARYLAND**

**Inter-Office Correspondence**

**TO:** W. Carl Richards, Jr., Supervisor  
Zoning Review Division  
Department of Permits & Development Management

**DATE:** February 4, 2000

**FROM:** Lawrence E. Schmidt  
Zoning Commissioner



**SUBJECT:** Petitions for Special Hearing & Variance  
SE/Corner York Road and Hampton Road (1823 York Road)  
8<sup>th</sup> Election District – 3<sup>rd</sup> Councilmanic District  
J. Edward Johnston, Petitioner  
Case No. 99-488-SPHA

Attached please find the case file and supporting documents relative to the above-captioned matter.

By way of background, this matter was scheduled for a hearing before me on July 27, 1999. Due to a misunderstanding and lack of legal representation at the proceedings, the Petitioner and/or his representative failed to appear. I believe that the Petitioner had retained the surveying firm of W. T. Sadler to assist him in this matter; however, apparently neither the property owner nor the surveyor was familiar with the process. In any event, I denied the relief requested by Order dated July 30, 1999.

Subsequent to the issuance of that Order, the Petitioner called this office and following a lengthy discussion, I agreed to reconsider the matter and a second hearing was scheduled for October 12, 1999. At that hearing, only Mr. Robert August, a representative of W. T. Sadler Surveyors, appeared. Mr. August, however, was not familiar with the process and was clearly unable to address the specific issues presented in the Petitions. Thus, I denied the request a second time by my Order dated October 20, 1999.

Subsequent to the issuance of that Order, the Petitioner retained Francis X. Borgerding, Jr., Esquire to assist him through the zoning process. On behalf of the Petitioner, Mr. Borgerding filed a second Motion for Reconsideration, received November 9, 1999. By virtue of the arguments presented therein, I agreed to strike the Order issued on October 20, 1999, and agreed to allow the matter to be rescheduled for consideration before me, by my Order dated November 15, 1999.

**99-488-SPHA**

W. Carl Richards, Jr.  
February 4, 2000  
Page 2  
RE: Case No. 99-488-SPHA

Apparently, in researching the history of this case, Mr. Borgerding has determined that what was requested in the original Petitions is incorrect. Thus, he has filed revised Petitions for Special Hearing and Variance and as you will see, the relief now being sought is different. For the sake of simplicity, I am inclined to keep the new Petitions under the same case number, essentially treating them as amended Petitions, not necessarily a new filing. I would appreciate your assistance in having the amended Petitions/revised site plans circulated and reviewed as appropriate and getting the matter rescheduled for a hearing before me as docketing permits. I told Mr. Borgerding that his client will have to pay the costs of re-advertising and posting.

Meanwhile, I would appreciate hearing from you to confirm that this matter will move forward as I've indicated above, and should you have any questions, please don't hesitate to call me. Thank you for your consideration in this matter.

LES:bjs

cc: Francis X. Borgerding, Jr., Esquire  
409 Washington Avenue, Suite 600, Towson, Md. 21204  
Case File

# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

**TO:** Arnold Jablon, Director  
Department of Permits and  
Development Management

**DATE:** March 9, 2000

**FROM:** Arnold F. 'Pat' Keller, III  
Director, Office of Planning

**SUBJECT:** 1823 York Road

### INFORMATION:

**Item Number** 99-488-SPHA  
**Petitioner:** CAA Limited Partnership  
**Property Size:** .37 acres  
**Zoning:** R.O.  
**Requested Action:** Special Hearing and Variance  
**Hearing Date:** March 23, 2000

### REQUEST:

The special hearing being requested in this case is to amend the previously approved site plan from case number 76-130-XA, and to request approval of variances from the following sections of the BCZR: Section 204.4.C.3 to allow a front yard setback of fourteen feet in lieu of the required twenty five feet; Section 204.4.C.4 to allow a side yard setback of six feet in lieu of the required ten feet; and Section 204.4.9.c.1 to allow ten feet of landscape buffer abutting a residential zone in lieu of the required twenty feet.

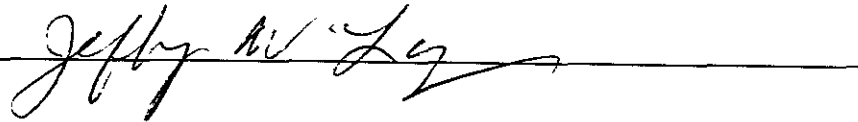
The subject property is located on the southeast corner of York Road and Northampton Road on the westernmost boundary of the Northampton residential community. It is currently improved by a 1439 square foot, two-story Class A office building. To the south it is adjoined by a structure originally constructed as a residence, and since altered for office use. The proposed site plan calls for demolition of the former residential structure and the construction of a new 1474 square foot, two-story addition. A total of 22 parking spaces are proposed to the rear (east) of the building. Proposed access to the parking area is from Northampton Road.

### **SUMMARY OF RECOMMENDATIONS:**

The Office of Planning has no objection to the approval of the proposed site plan amendment or variances, provided that the following information is submitted to this Office for review and approval:

1. Building elevations of the proposed new addition and/or any alterations planned for the existing Class A office building.
2. A landscape plan indicating plant material and type, especially the treatment of the buffer area between the parking lot and the residential dwelling to the east of the property.
3. Elevations of any proposed signage, including dimensions, materials, and placement

Section Chief

A handwritten signature in dark ink, appearing to read "Jeffrey W. Long", is written over a horizontal line.



**Maryland Department of Transportation  
State Highway Administration**

Parris N. Glendening  
Governor  
John D. Porcari  
Secretary  
Parker F. Williams  
Administrator

Date: 2-24-00

Ms. Ronnay Jackson  
Baltimore County Office of  
Permits and Development Management  
County Office Building, Room 109  
Towson, Maryland 21204

RE: Baltimore County  
Item No. 99-488-SHA  
1823 York Rd.

RECEIVED MAR 03 2000

Dear Ms. Jackson:

We have reviewed the referenced item and have no objection to approval, as a field inspection reveals that the existing entrance(s) on to MD/US 45 are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

for Kenneth A. McDonald Jr., Chief  
Engineering Access Permits Division

My telephone number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

RE: PETITION FOR SPECIAL HEARING  
PETITION FOR VARIANCE  
1823 York Road, E/S York Rd,  
SEC York and N. Hampton Rds  
8th Election District, 4th Councilmanic


Legal Owner: J. Edward Johnston  
Petitioner(s)

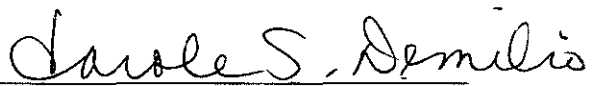
\* BEFORE THE  
\* ZONING COMMISSIONER  
\* FOR  
\* BALTIMORE COUNTY  
\* Case No. 99-488-SPHA

\* \* \* \* \*

**ENTRY OF APPEARANCE**

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

  
PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

  
CAROLE S. DEMILIO  
Deputy People's Counsel  
Old Courthouse, Room 47  
400 Washington Avenue  
Towson, MD 21204  
(410) 887-2188

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 2nd day of July, 1999 a copy of the foregoing Entry of

Appearance was mailed to J. Edward Johnston, 4102 Greenway, Baltimore, MD 21218, Petitioner.

  
PETER MAX ZIMMERMAN



# ZONING HEARING FILE INTERNAL CHECKLIST

Zoning Case No. 99-488-SPHA **REVISED**

Date Completed/Initials

2/22/00 scj

PREPARE HEARING FILE (put case number on all papers; hole punch and place appropriately; put label and case number on folder; complete information on stamp on front of folder)

DETERMINE HEARING DATE (schedule within 45 days of filing; post and advertise at least 15 days prior to hearing)

TYPE HEARING NOTICE AND ADVERTISING NOTICE (type according to sample, taking billing information for advertising from advertising form in file; make appropriate copies; mail original and copies of hearing notice; place original advertising notice in Patuxent's box; file copies of both notices in hearing file; update ZAC in computer for hearing date, time and place)

UPDATE ZONING COMMISSIONER'S HEARING CALENDAR (keep original in "red" folder; mail copy to zoning commissioner's office)

COMPLETE FILE (write hearing date, time, and room on front of hearing folder; file in numerical order in cabinet next to copier until it is pulled for sending to zoning commissioner's office)

POSTPONEMENTS (type postponement letter; make appropriate copies; mail original and copies; send copy to zoning commissioner; file copy in hearing file; update hearing calendar and ZAC in computer)

RESCHEDULING (determine hearing date; type letter confirming new date; make appropriate copies; mail original and copies; file copy in hearing file; update hearing calendar and ZAC in computer; refile hearing folder)

INDEX CARDS (prepare index cards, according to sample; file cards in cabinet)

ADVERTISING/POSTING CERTIFICATES (check off on front of hearing file; put certificates in file)

COMMENTS (check off agency comments received on front of hearing file; make copies; type comments letter; mail original to petitioner; file copy in hearing file)

FILES TO ZONING COMMISSIONER'S OFFICE (pull the files for the following week every Friday and administrative files on Tuesday; verify that checklist on front of hearing file has been completed; secure all papers under clips in file; send files for hearings to zoning commissioner's office by noon on Friday and files for administrative on Tuesday morning)

**FRANCIS X. BORGERDING, JR.**

*Attorney at Law*

MERCANTILE BUILDING - SUITE 600  
409 WASHINGTON AVENUE  
TOWSON, MARYLAND 21204  
(410) 296-6820  
FAX (410) 296-6884

JAN 10

*Member of Maryland and  
District of Columbia Bar*

January 10, 2000

The Honorable Lawrence E. Schmidt  
Zoning Commissioner for Baltimore  
County  
County Courts Building, Fourth Floor  
401 Bosley Avenue  
Towson, Maryland 21204

RE: Case No.: 99-488SPHA

Dear Mr. Schmidt:

Enclosed please find the revised Petitions for Variance and Special Hearing with regard to the above-referenced case. As you will note, the request in variance relief and accordingly special hearing relief has been modified from the Petitions originally filed in the above-referenced case. Enclosed please also find a copy of the relevant 200 scale zoning map, three copies of the subject property's description, as well as 12 copies of the revised plan to accompany Petition for Special Hearing and zoning relief with regard to the above-referenced case. If any additional administrative action is necessary to facilitate a hearing on the revised requested relief, please let me know in order that I may take any necessary action.

Thank you very much for your consideration of this matter.

Very truly yours,



FRANCIS X. BORGERDING, JR.

FXBJr:bjk  
Enclosure  
cc: Mr. Charles Dashner

**99.488-SPHA**

**FORECAST RESEARCH SYSTEMS, INC.**

J. EDWARD JOHNSTON, JR., PH.D  
CHIEF EXECUTIVE OFFICER

August 12, 1999

Lawrence E. Schmidt  
Zoning Commissioner  
For Baltimore County  
401 Bosley Ave.  
Room 405  
Towson, MD. 21204

Dear Mr. Schmidt:

This letter is a request for reconsideration on the matter of Case No. 99-488-SPHA which was scheduled for a public hearing on July 27, 1999 for consideration of Petitions for Special Hearing and Variance filed by the owner of the subject property, J. Edward Johnston.

Because of a mix-up on our part no one appeared on behalf of the Petitioner to offer testimony in support of the requests and the property was not posted.

Would you please reschedule the hearing and send a copy of the hearing notice to W.T. Sadler Surveyors at 152 Westminster Road, Reisterstown, MD. 21136 as they are the representative to be contacted in this hearing for us.

Thank you for any help you can give us on this matter.

Sincerely,

  
J. Edward Johnston

*Ok to grant, property should be reposted & new hearing date set*  
*KJS 8/20/99*

4813

## FORECAST RESEARCH SYSTEMS, INC.

J. EDWARD JOHNSTON, JR., PH.D.  
CHIEF EXECUTIVE OFFICER

August 12, 1999

Lawrence E. Schmidt  
Zoning Commissioner  
For Baltimore County  
401 Bosley Ave.  
Room 405  
Towson, MD. 21204

Dear Mr. Schmidt:

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Thank you for any help you can give us on this matter.

Sincerely,



J. Edward Johnston

*Belleville*  
*hell*  
*hell*  
*hell*  
*hell*  
*hell*

**BALTIMORE COUNTY, MARYLAND**  
**Inter-Office Memorandum**

DATE: June 2, 1999

TO: Hearing Officer

FROM: Joseph C. Merrey  
Planner II  
Zoning Review, PDM

SUBJECT: Case Number 99-488-SPHA  
1823 York Road

Applicant was advised against filing for a variance for signage located in the State right-of-way. State must be signatory? Special Hearing for non-conforming status more appropriate? Special Exception for off-site advertising?

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

CHARLES A DASHNER

7900 LOWTIDE CT PRAIRIE MD 21122

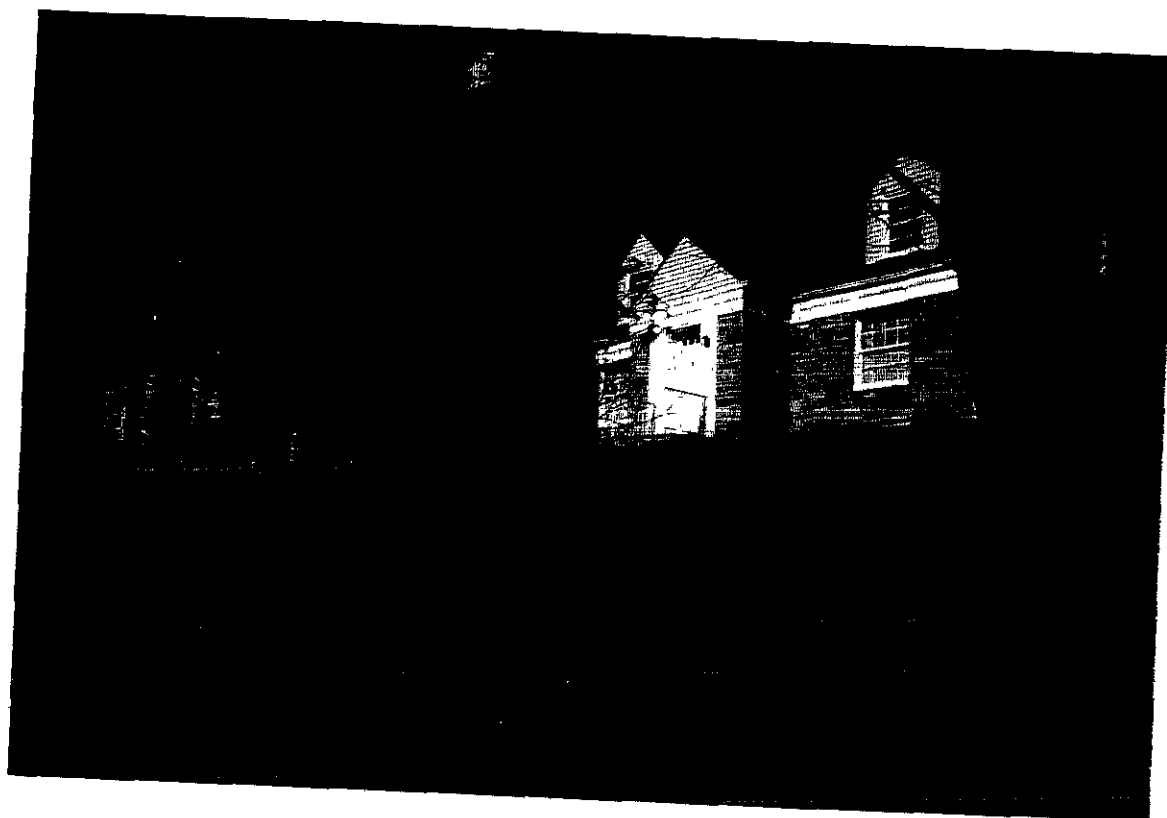
BRUCE DOAK - GERHOLD, CROSS & ETZEL 320 E. TOWNSHIP BLVD TOWSON, MD 21286

Frank Bergending

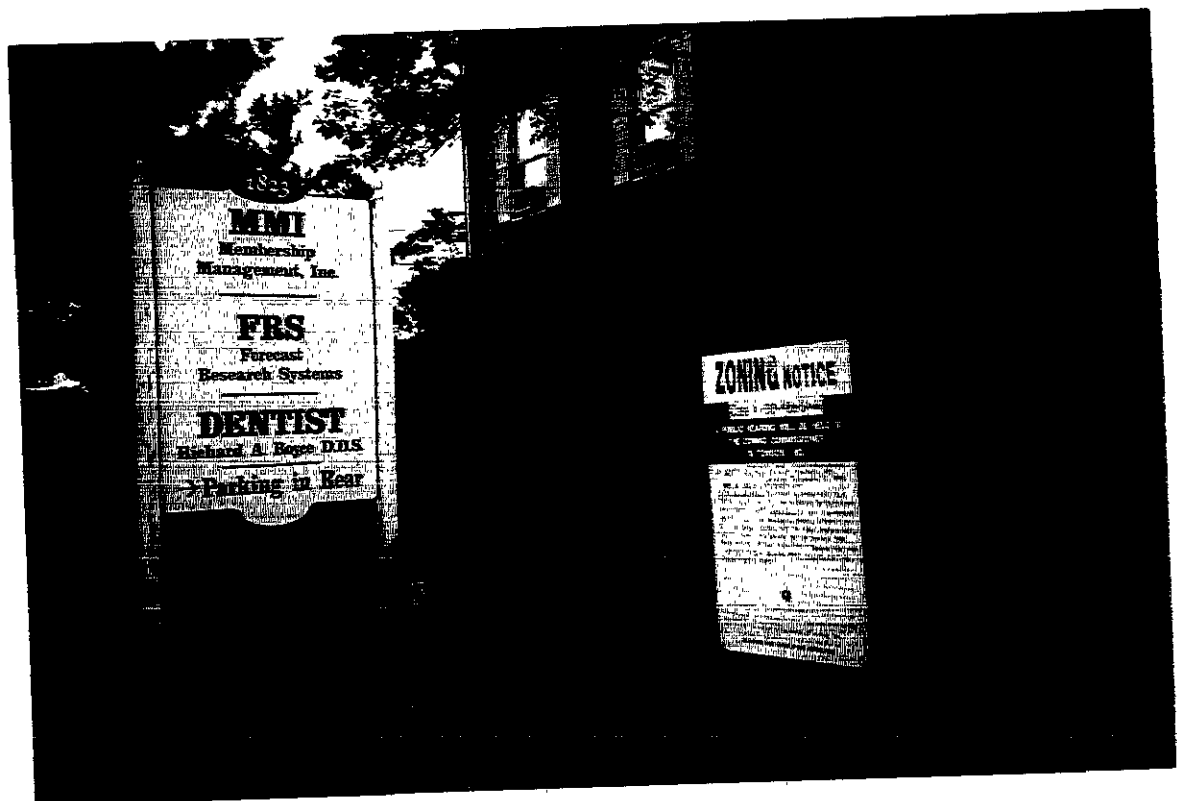


photographs  
of the property  
and sign

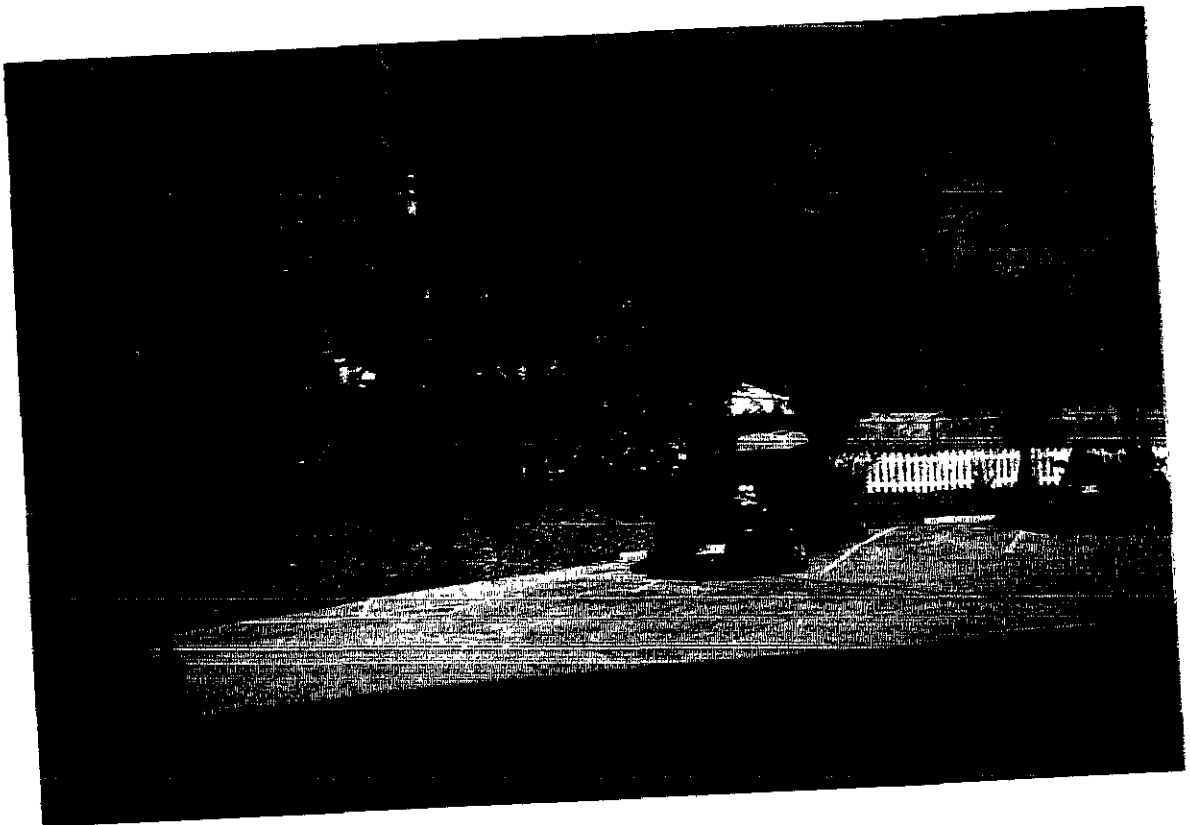
Case 99-488-SHA

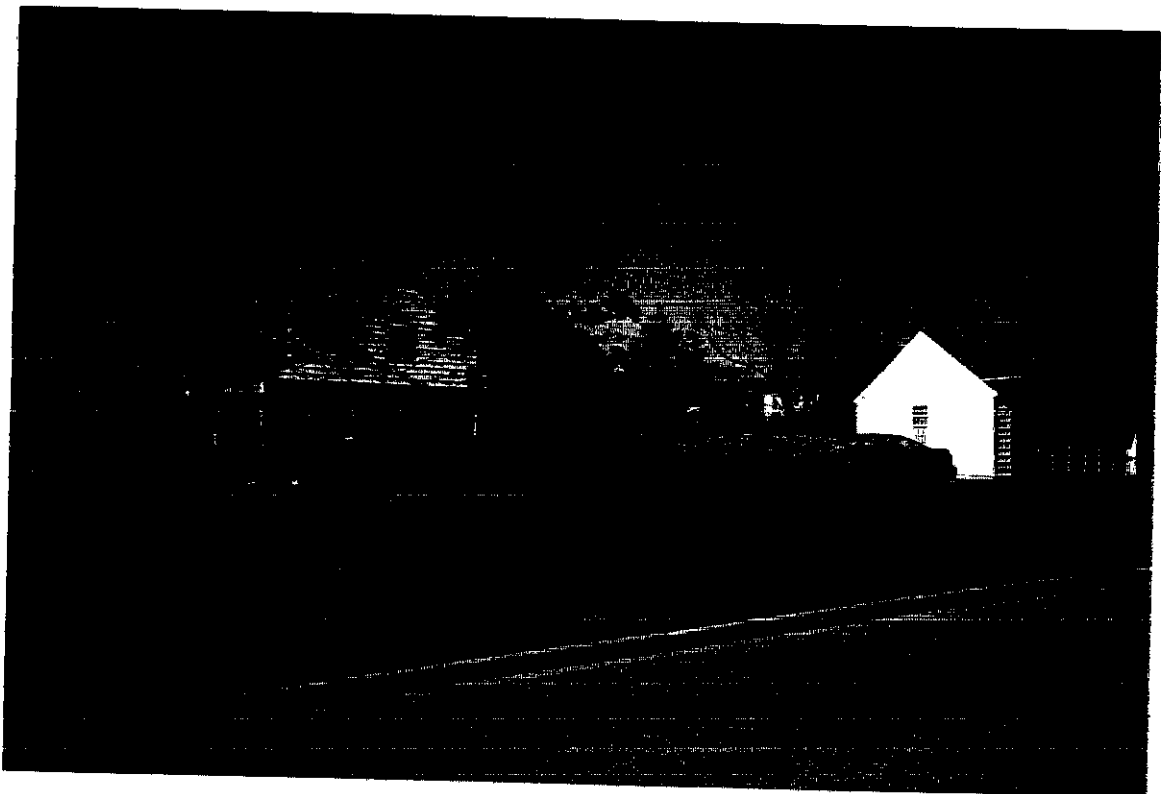


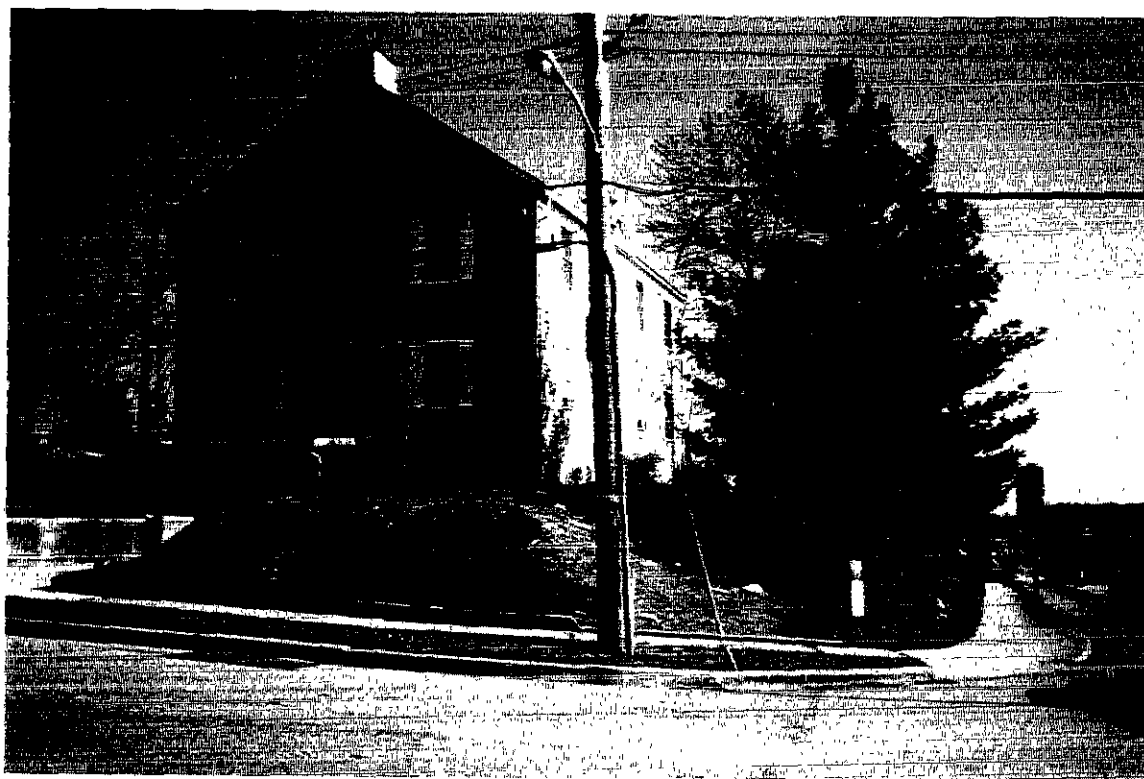






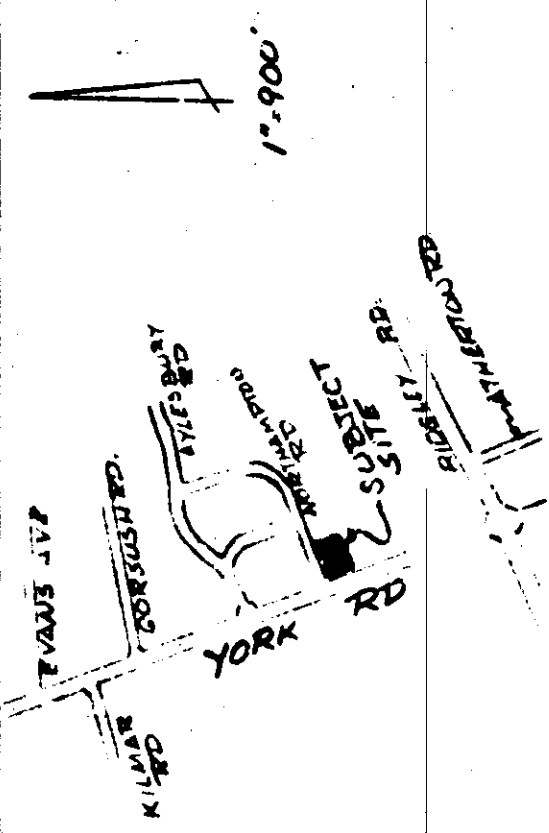






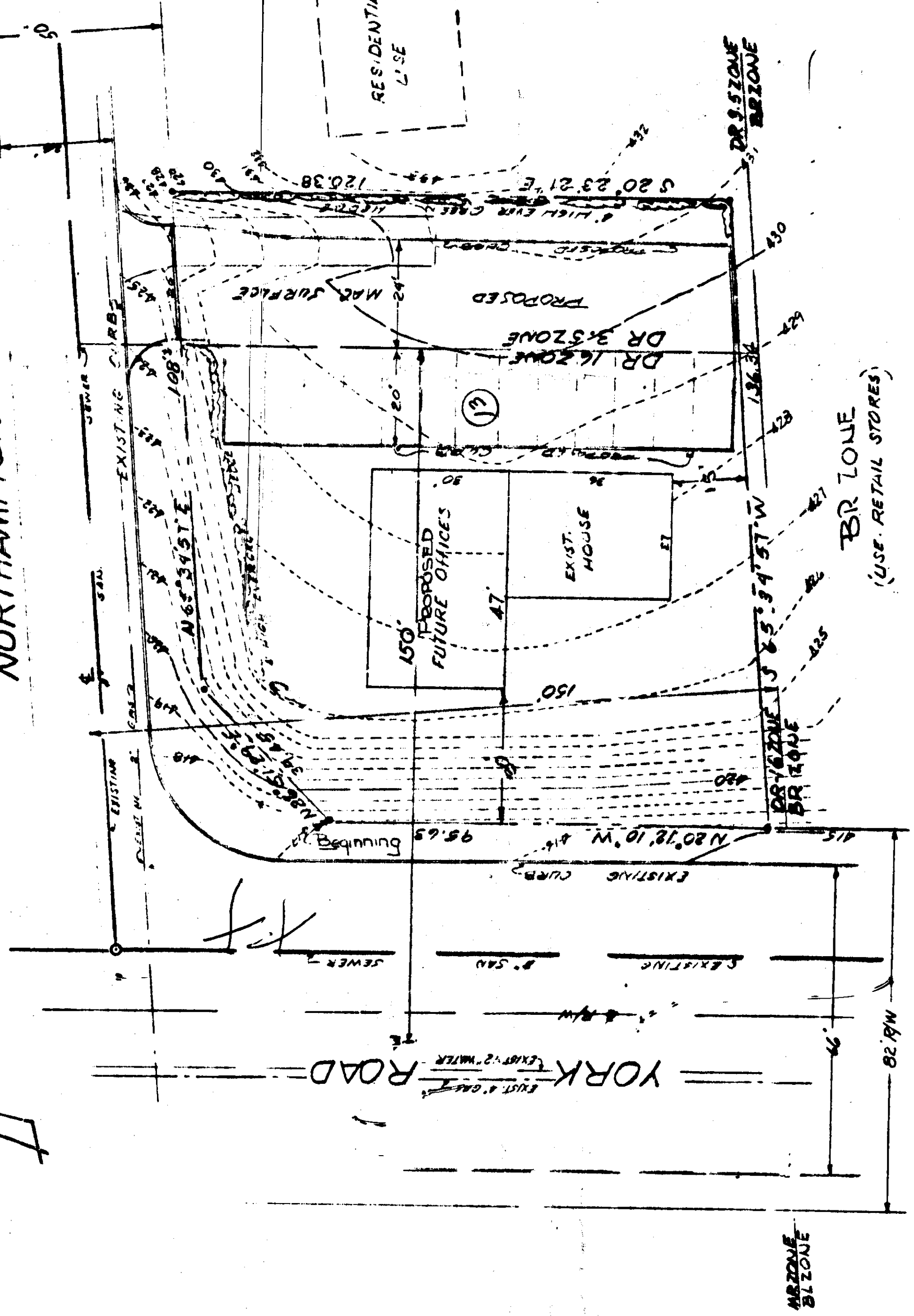






DR 3.5 ZONE  
(USE: RESIDENTIAL)

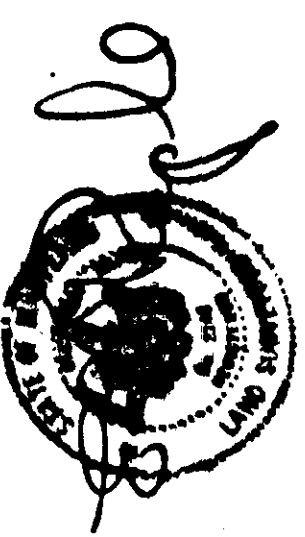
NORTHAMPTON ROAD



**GENERAL NOTES**  
 AREA OF PROP 0.289 AC  
 EXIST ZONE DR 16 & DR 3.5  
 PROP ZONE DR 16 & DR 3.5 / EX OFFICE  
 EXIST USE RESIDENCE  
 PROP USE OFFICES

**PARKING DATA**  
 EXIST 1ST FLOOR 972 S  
 PROPOSED 1ST FLOOR 1410 S  
 TOTAL 1ST FLOOR 2382 S @ 13 SPACES/1000 S  
 EXIST 2ND FLOOR 972 S  
 PROPOSED 2ND FLOOR 1410 S  
 TOTAL 2ND FLOOR 2382 S @ 13 SPACES/1000 S  
 TOTAL SPACES REQUIRED 13  
 TOTAL SPACES PROVIDED 13  
 SPECIAL EXCEPTION REQUESTED FOR OFFICE  
 USE IN DR 16 ZONE  
 VARIANCE REQUESTED TO ALLOW 15' SIDEYARD  
 INSTEAD OF THE REQUIRED 25'

MAP	36
SHEET	1
DATE	8/1/75
BY	SE
CHECKED	HR
SCALE	1" = 20'



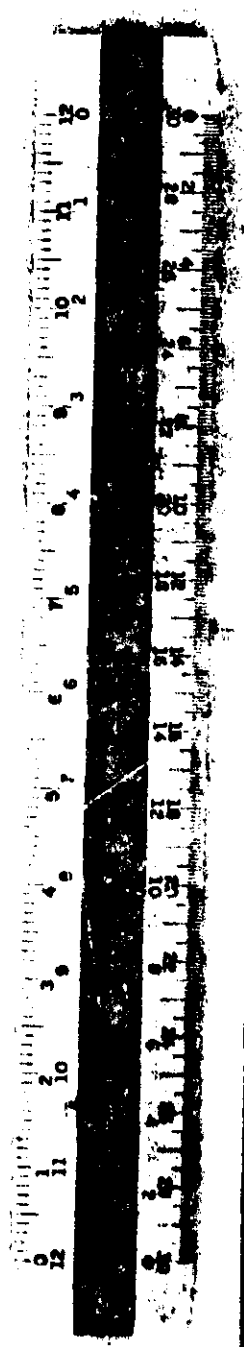
PLAT TO ACCOMPANY  
ZONING PETITION

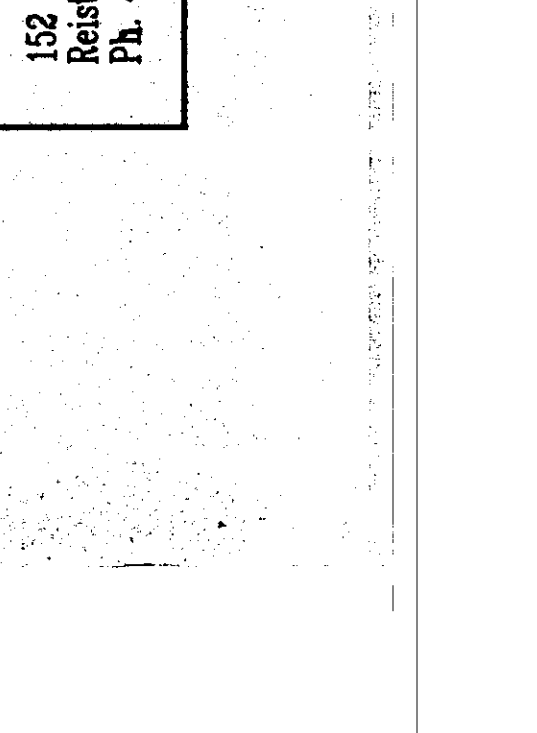
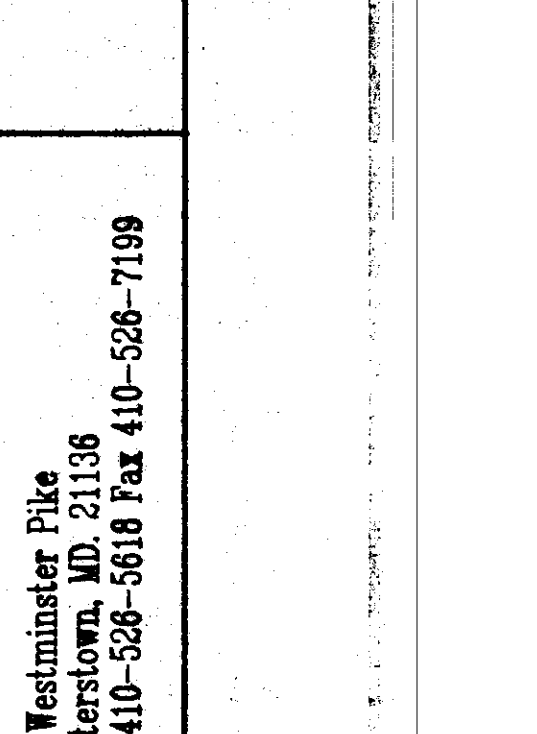
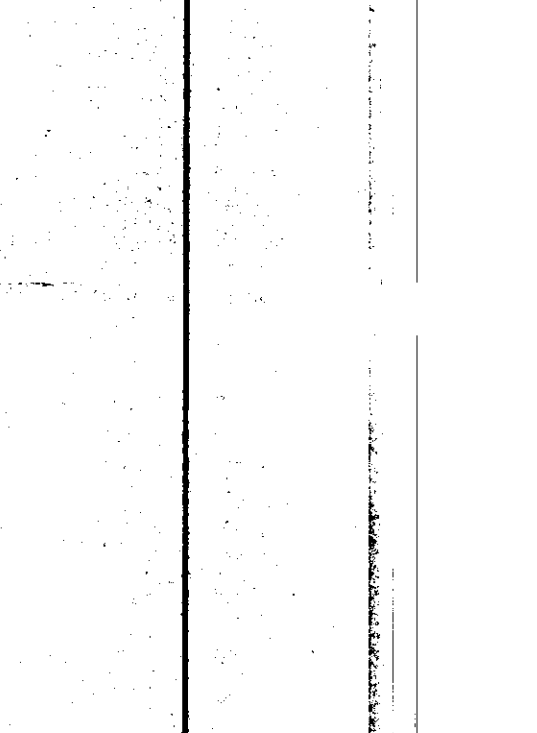
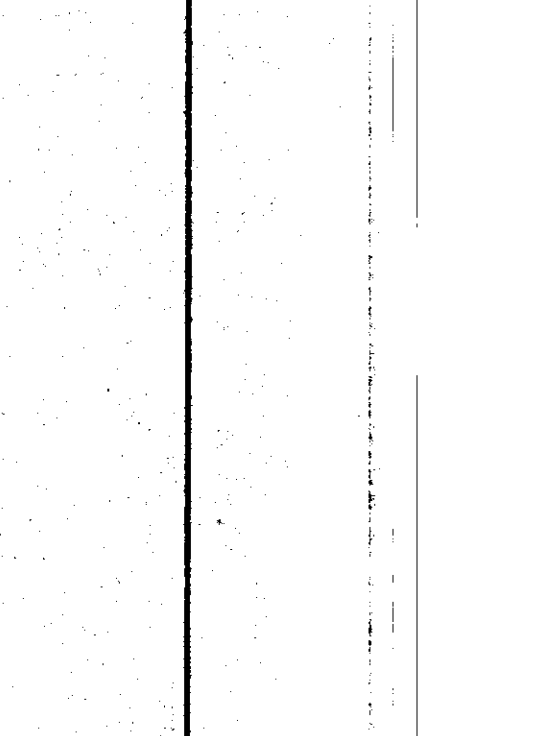
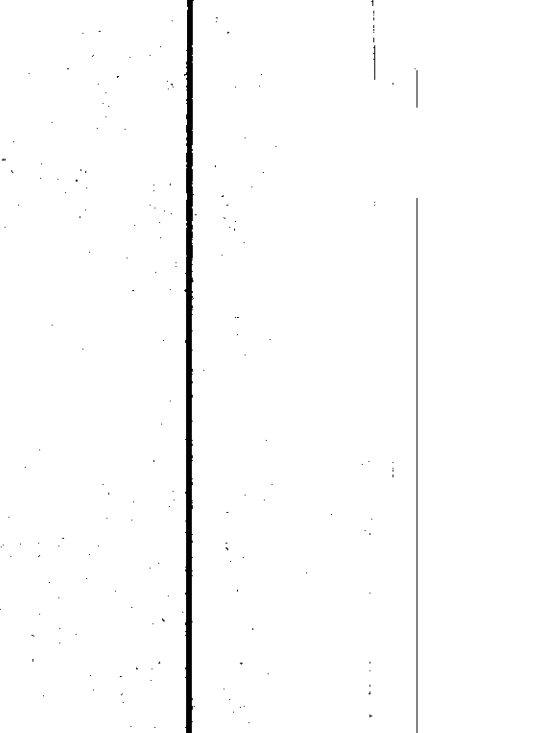
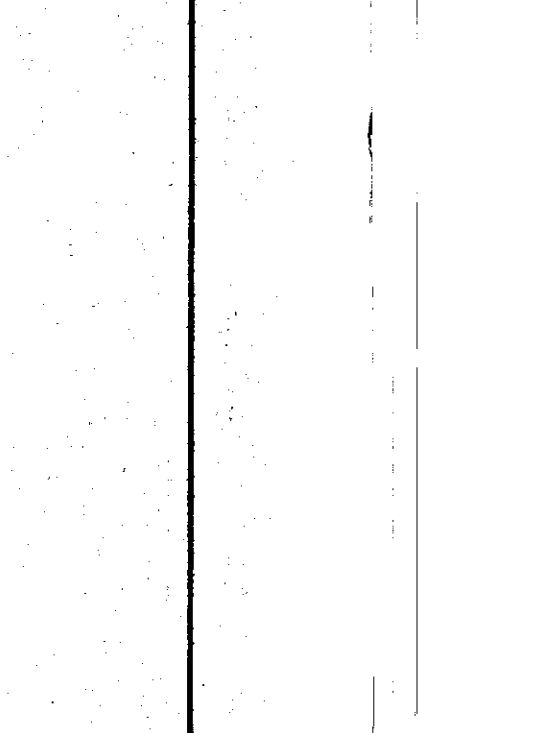
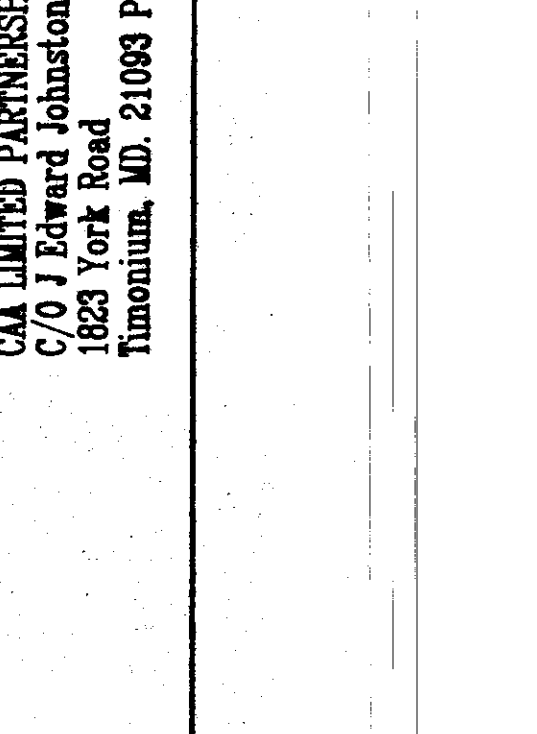
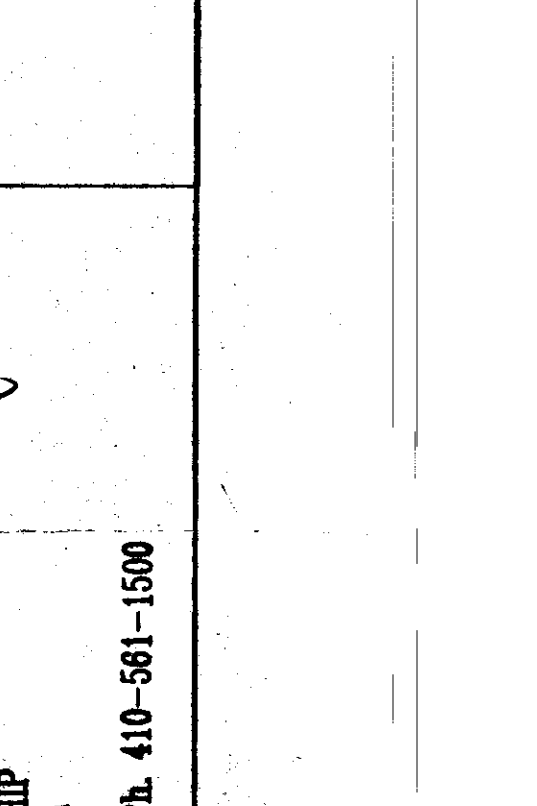
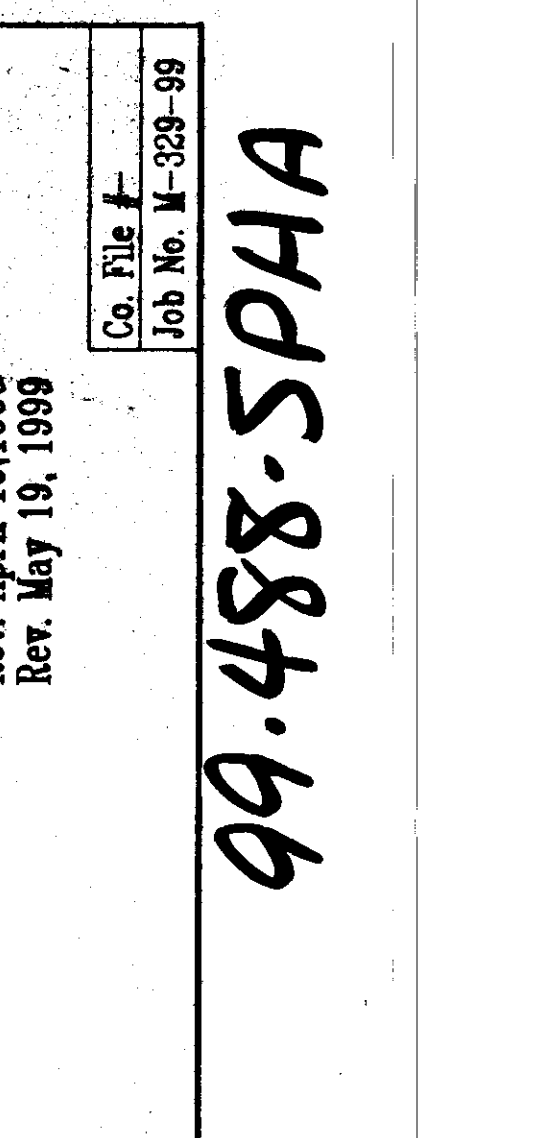
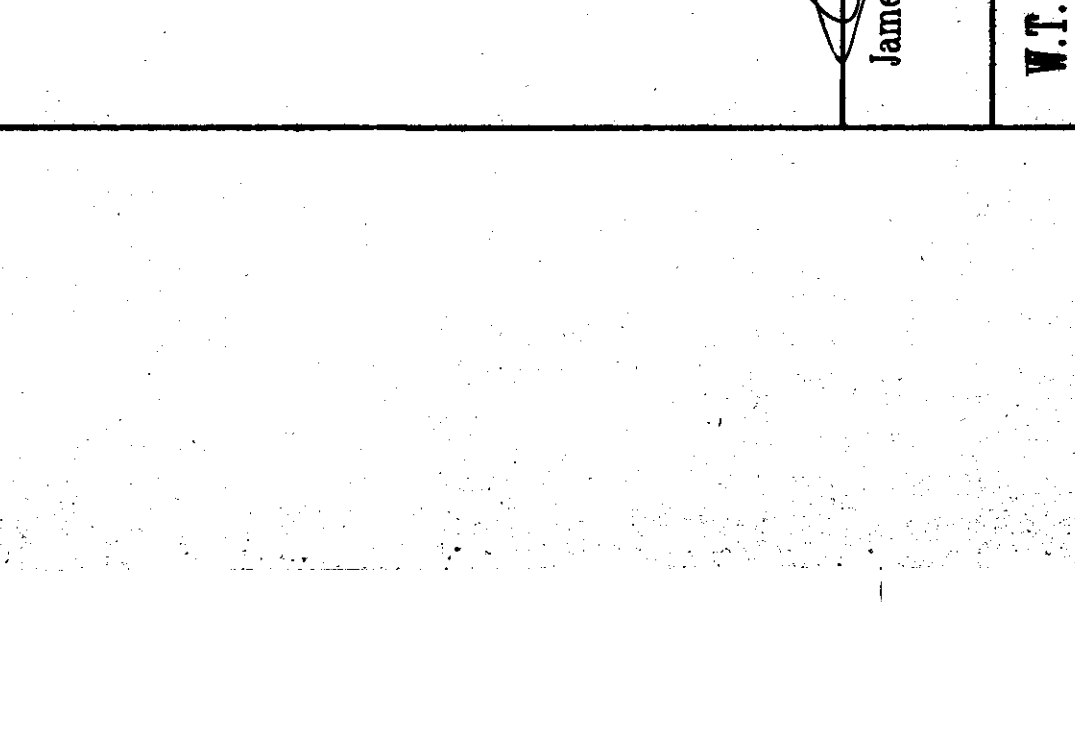
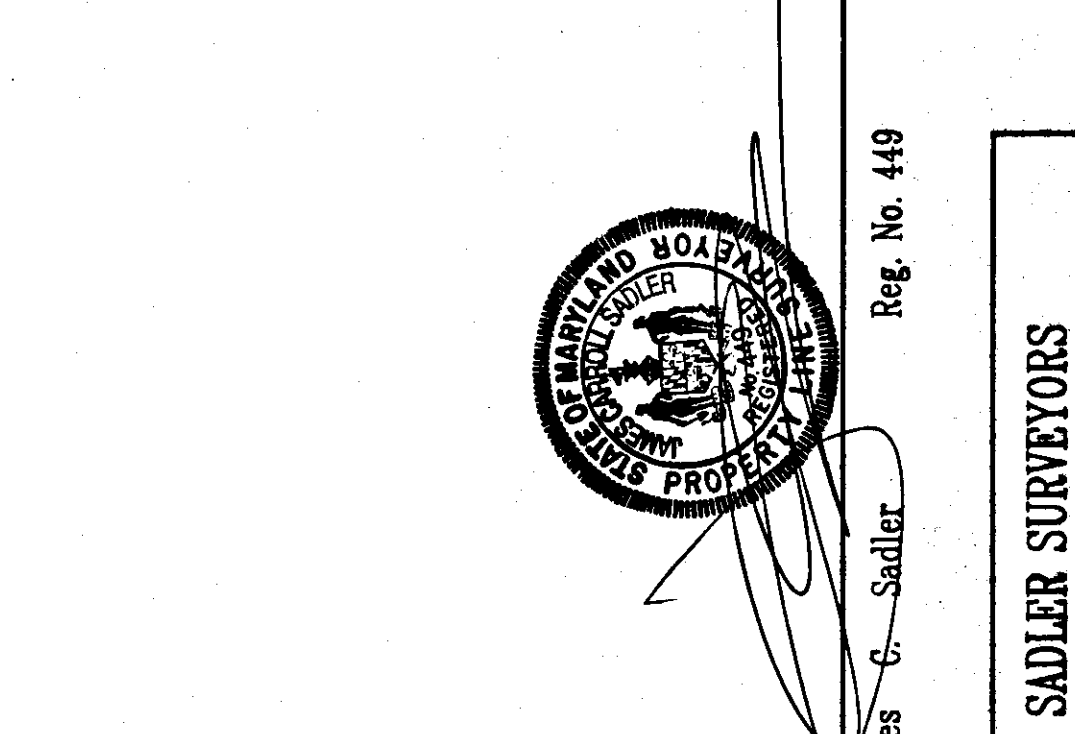
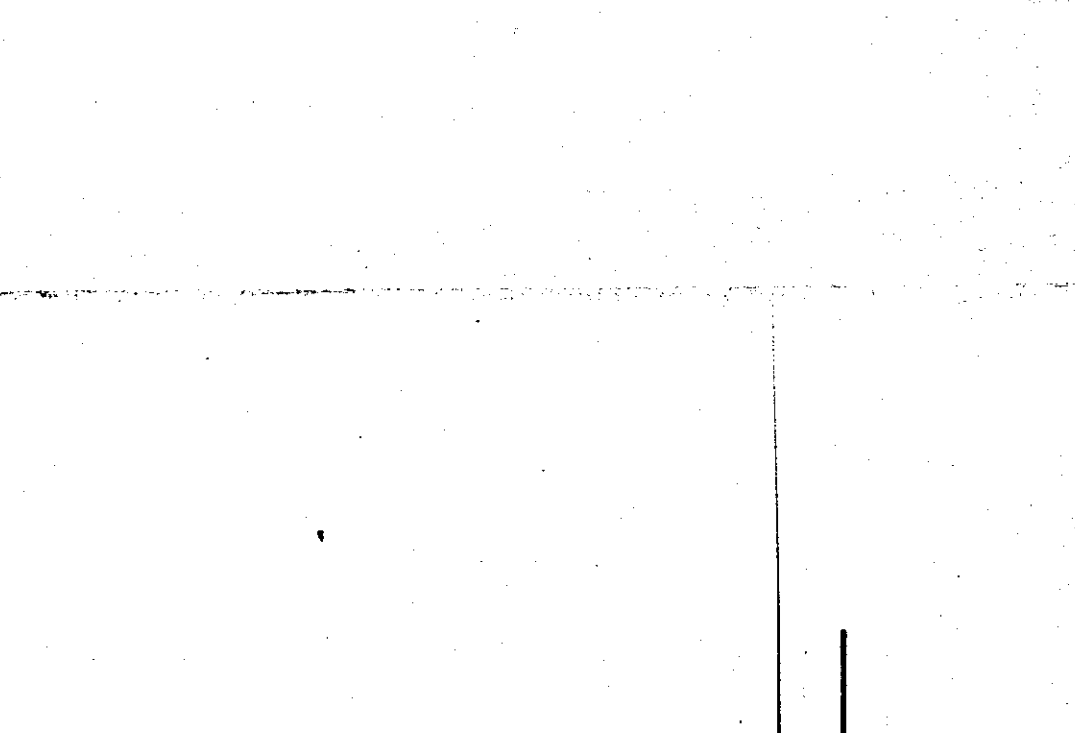
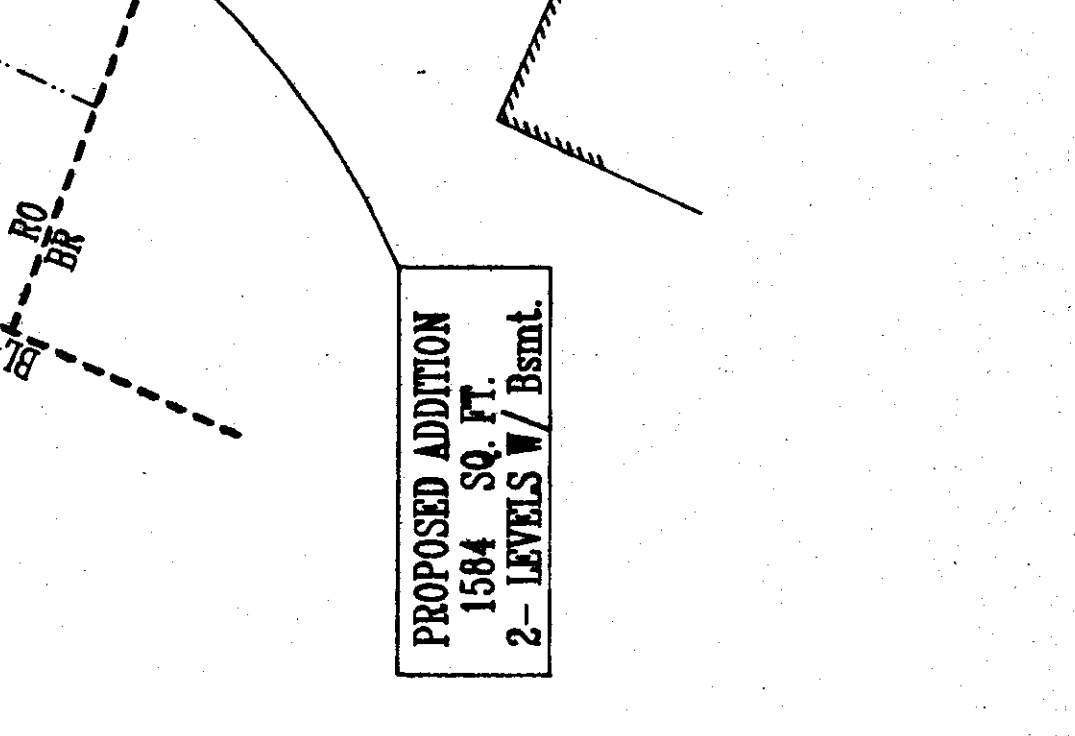
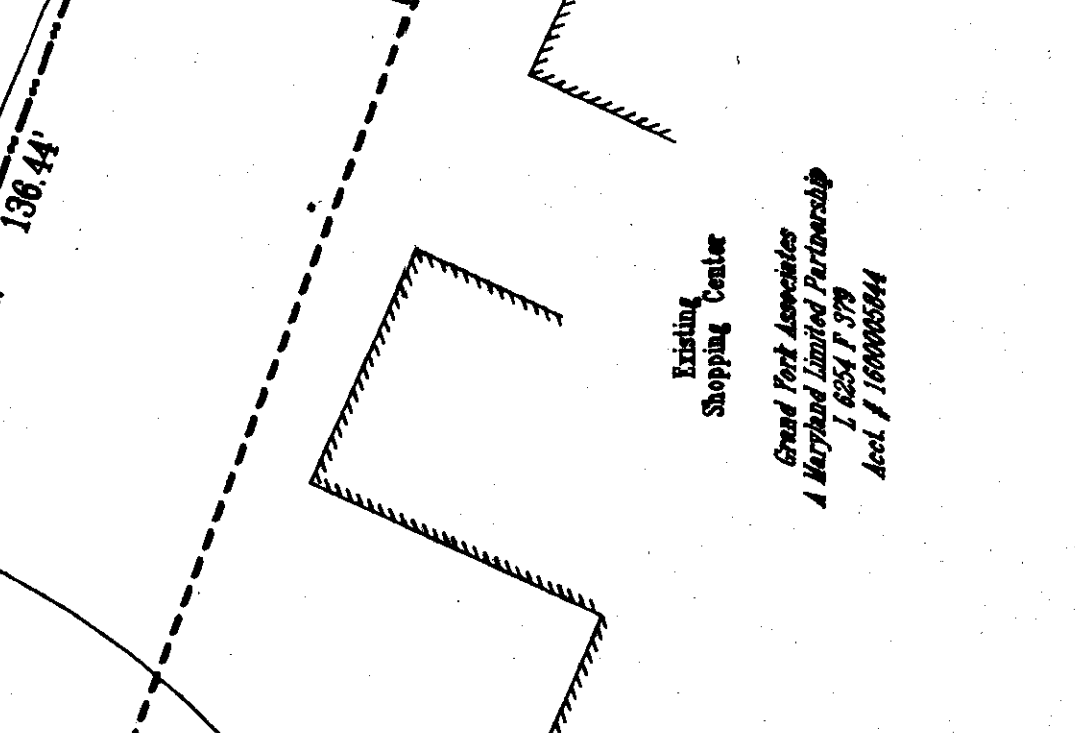
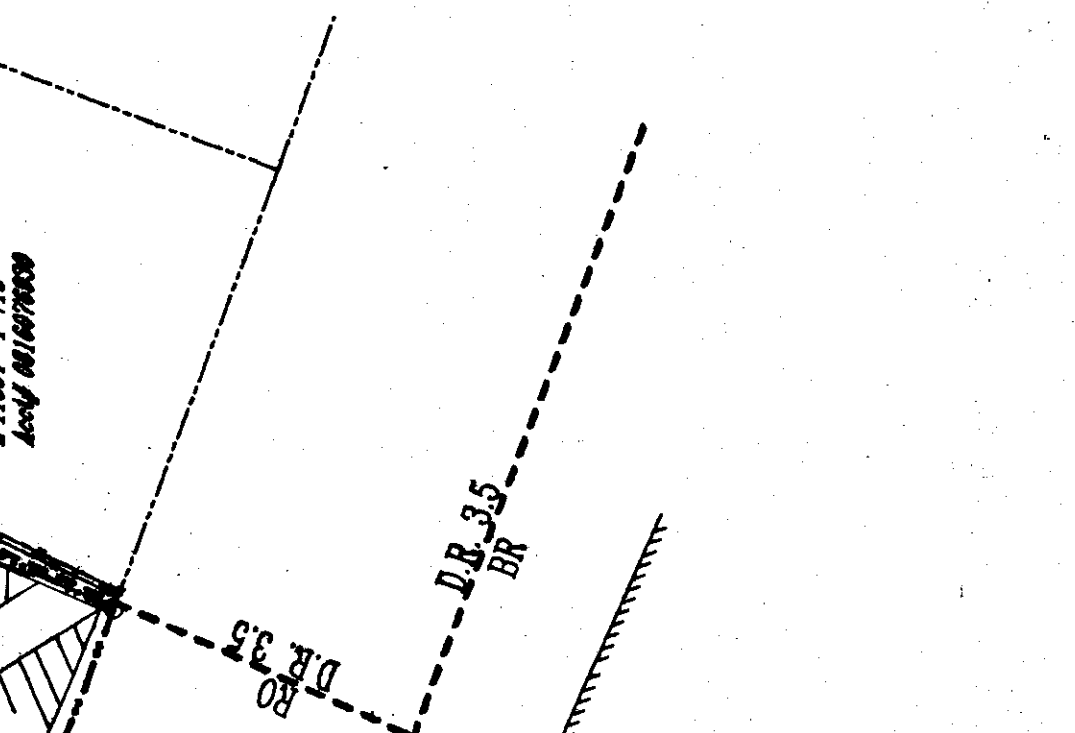
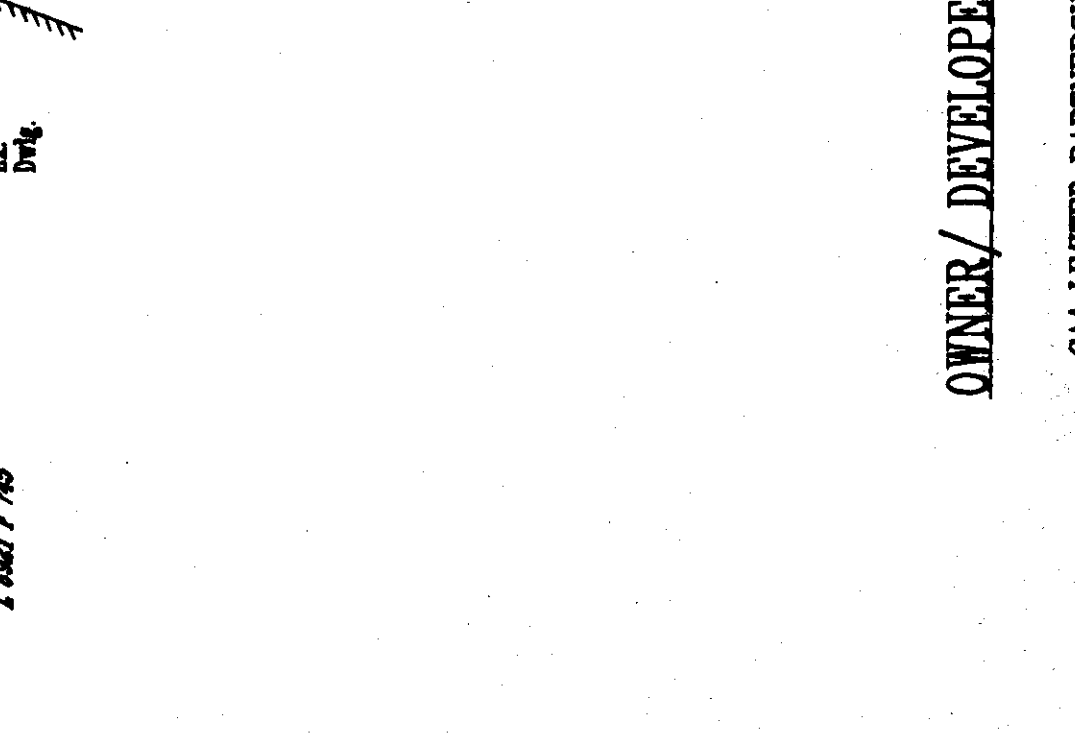
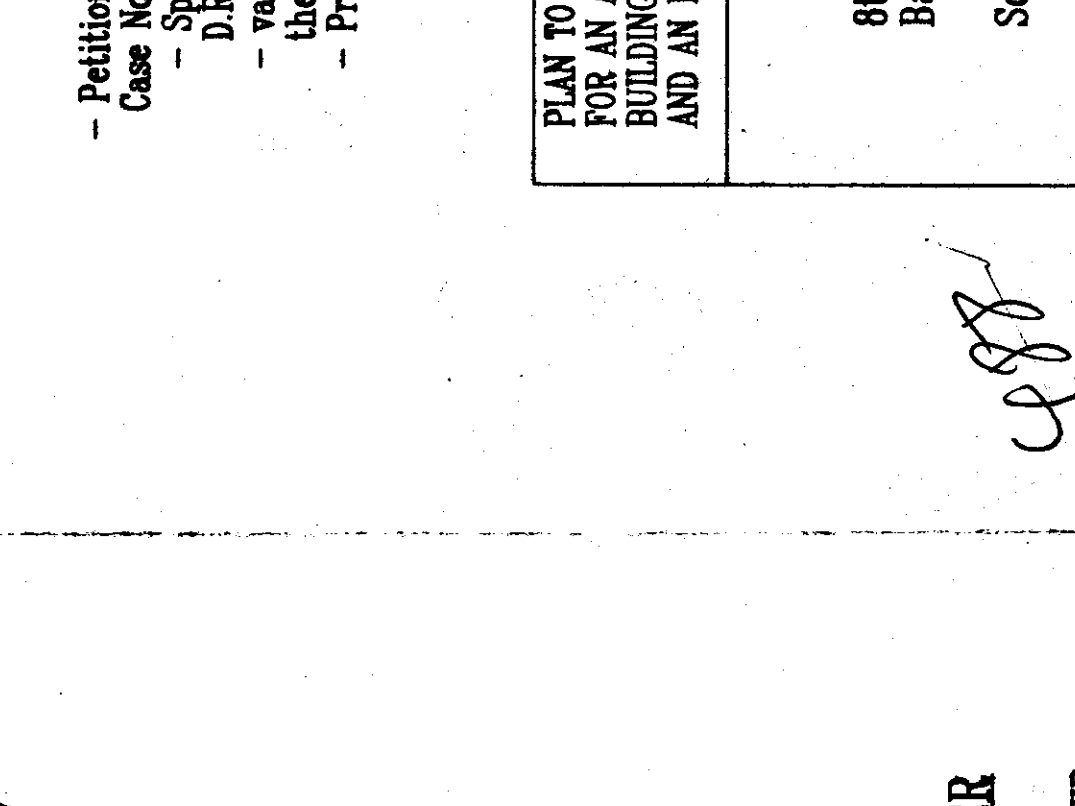
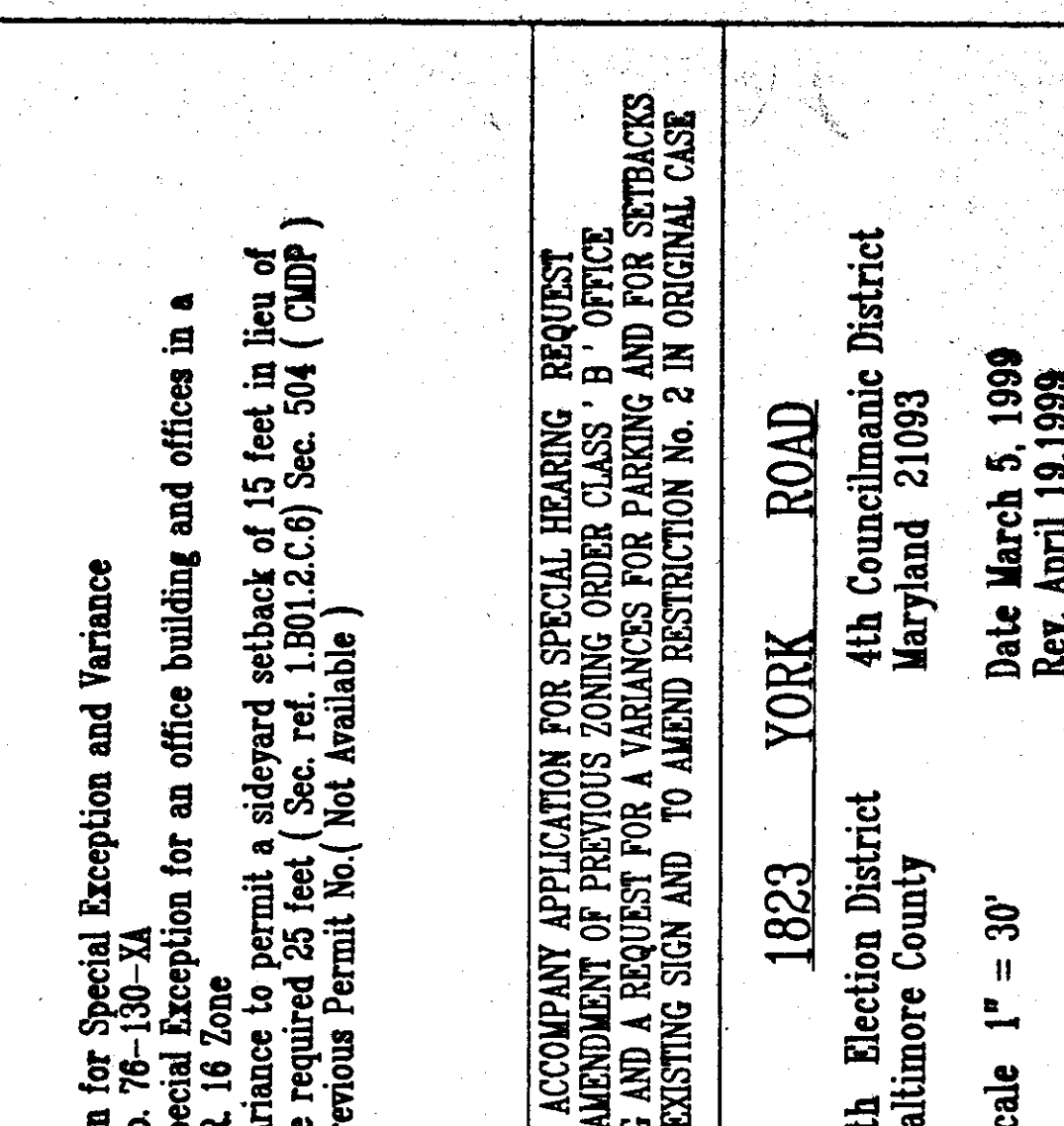
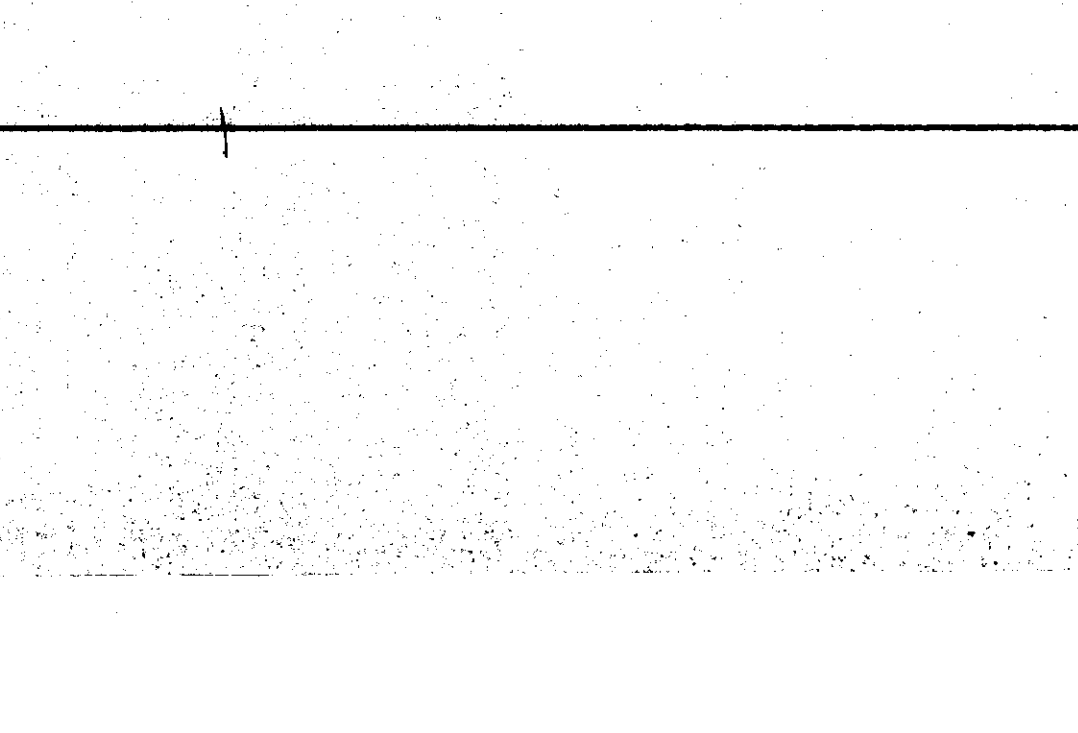
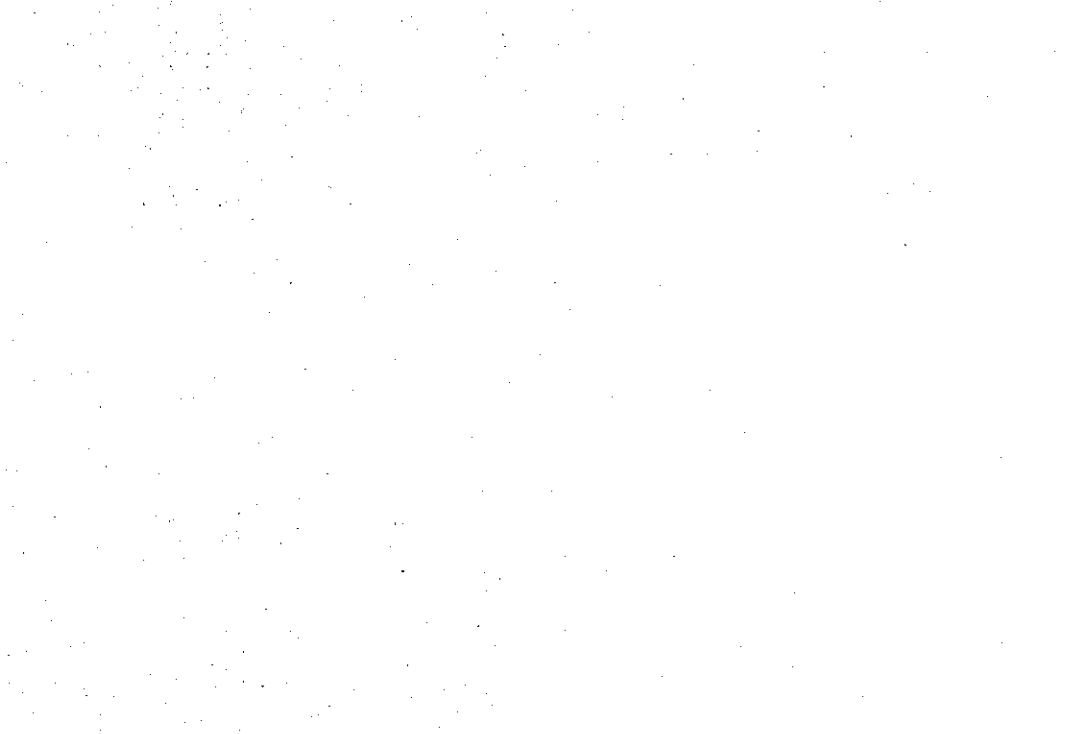
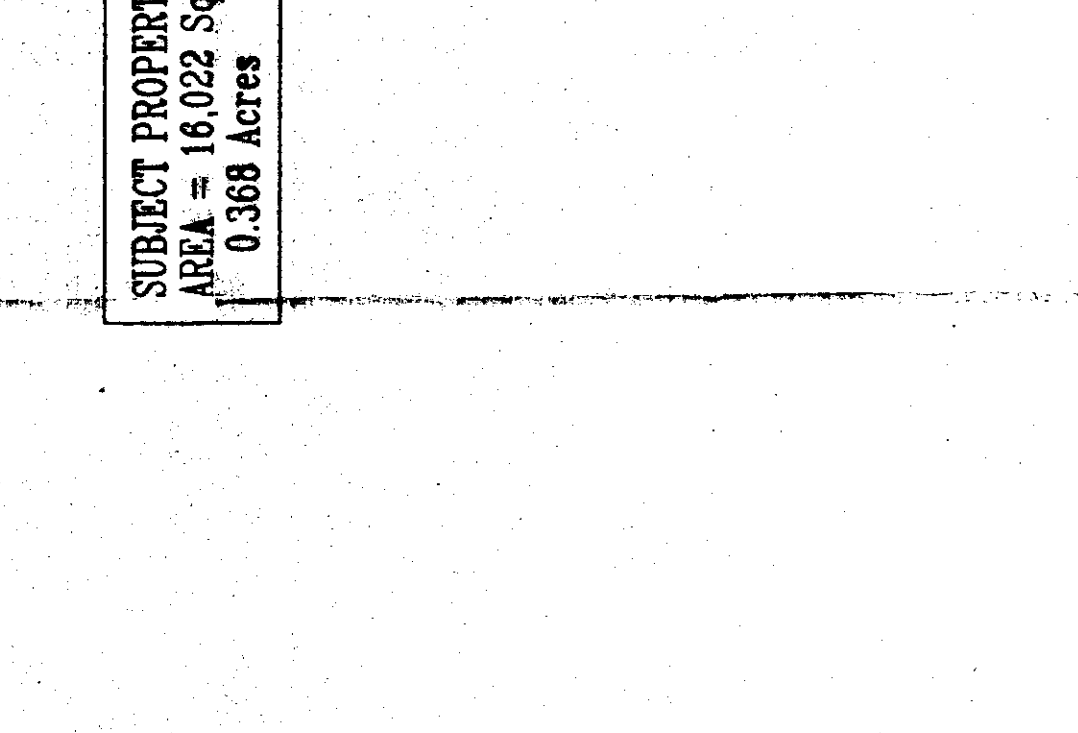
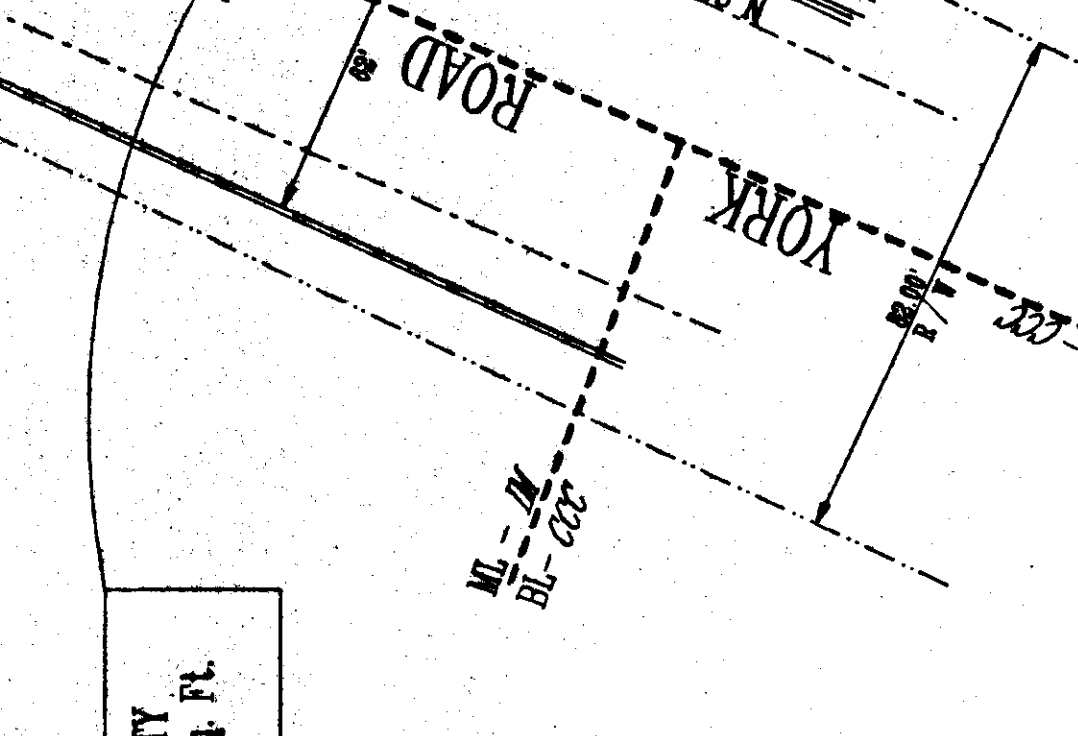
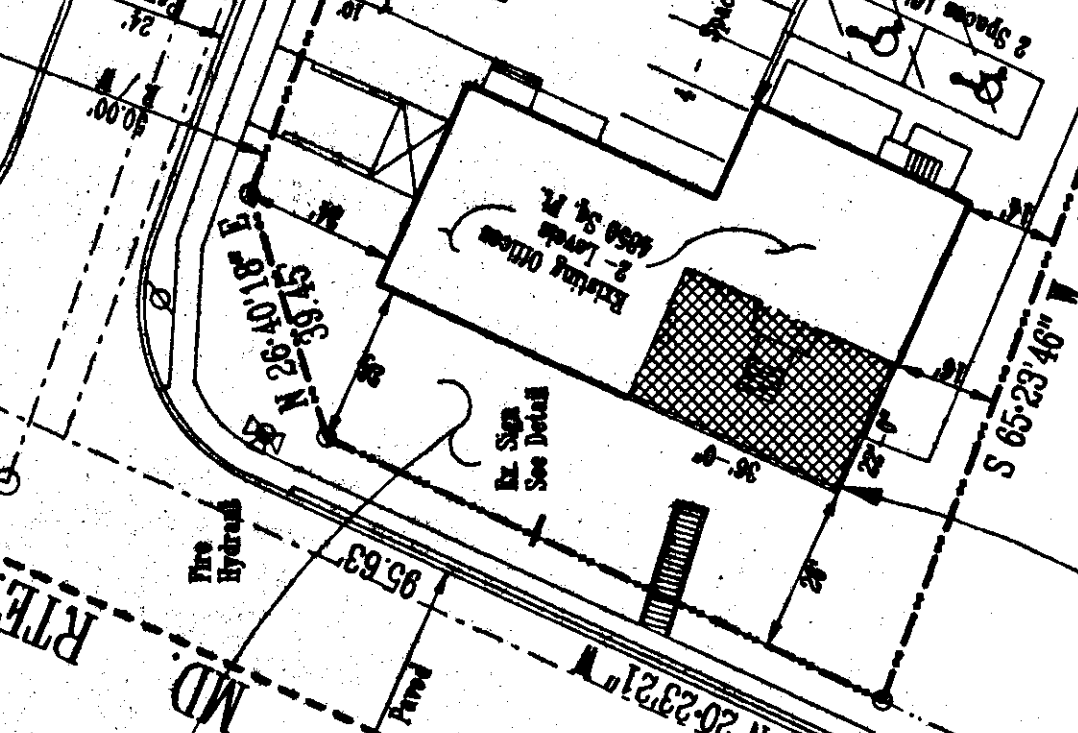
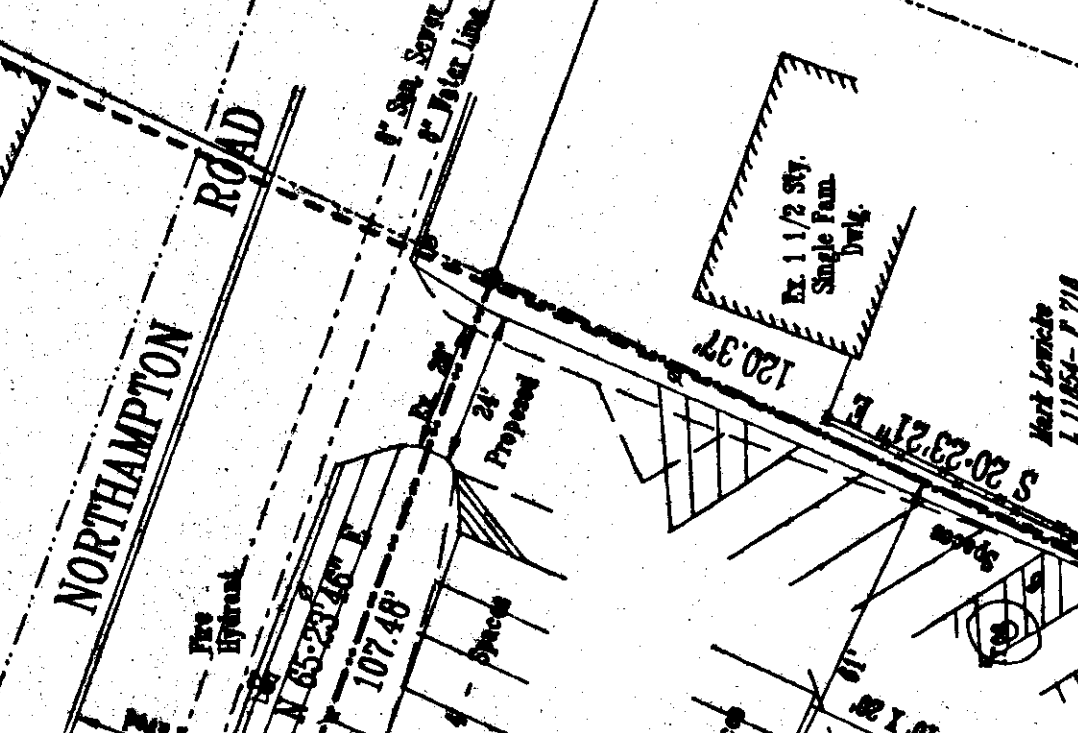
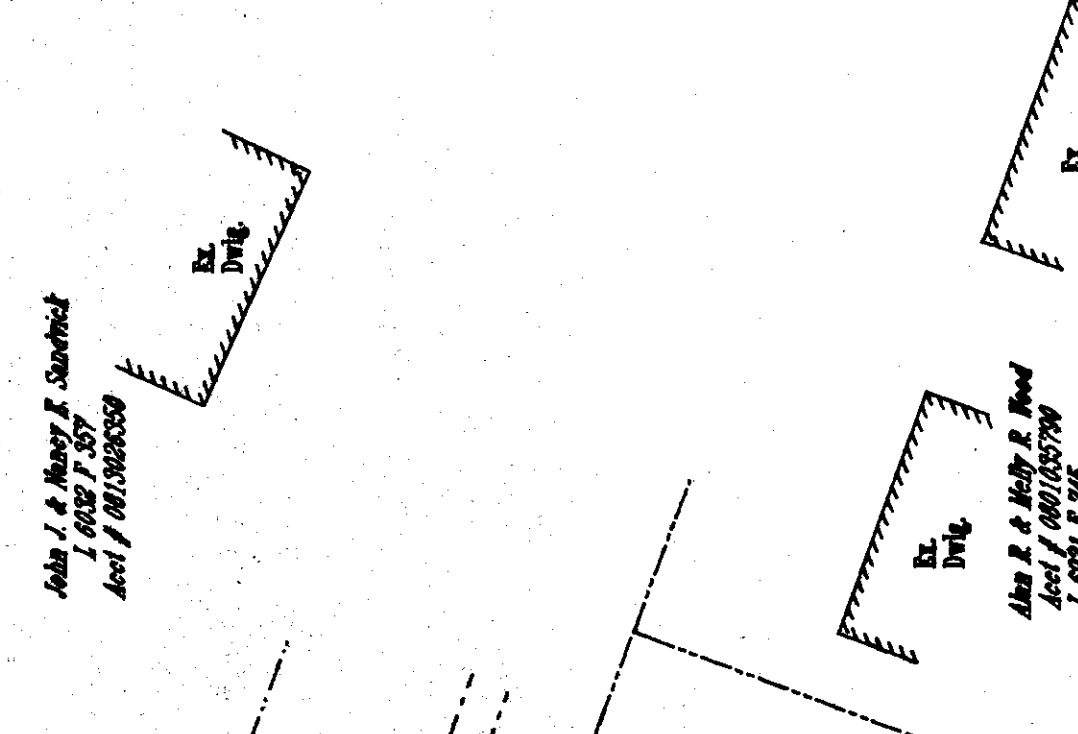
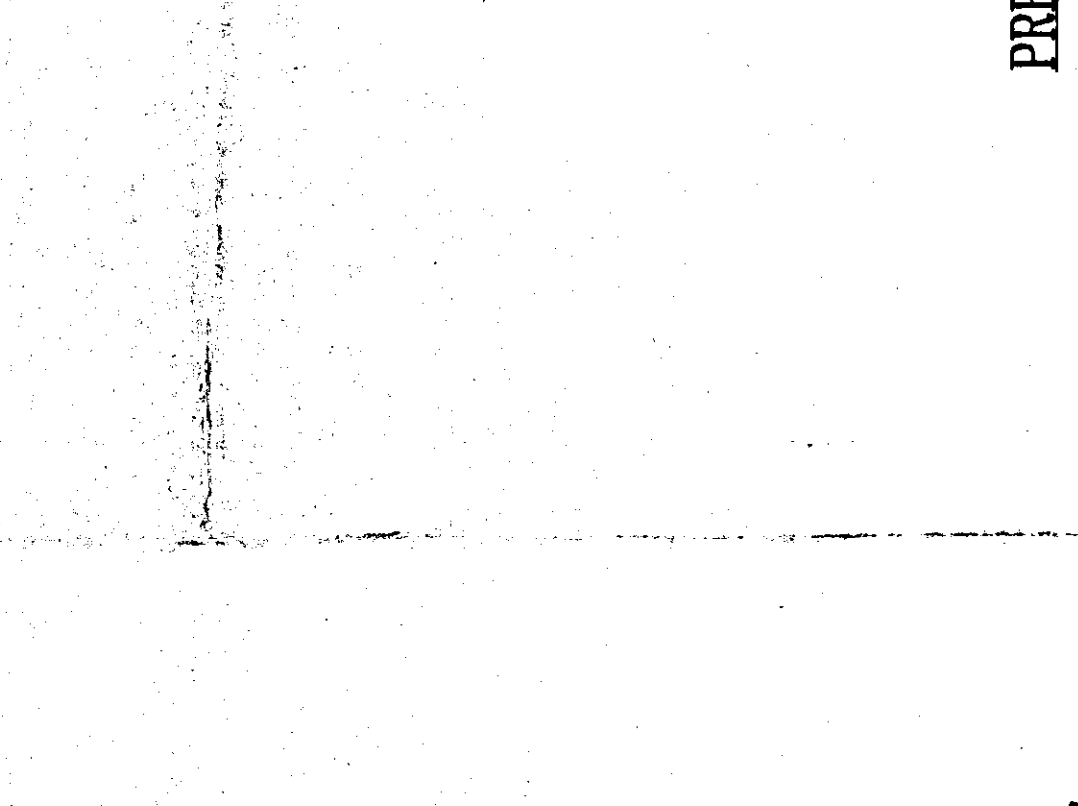
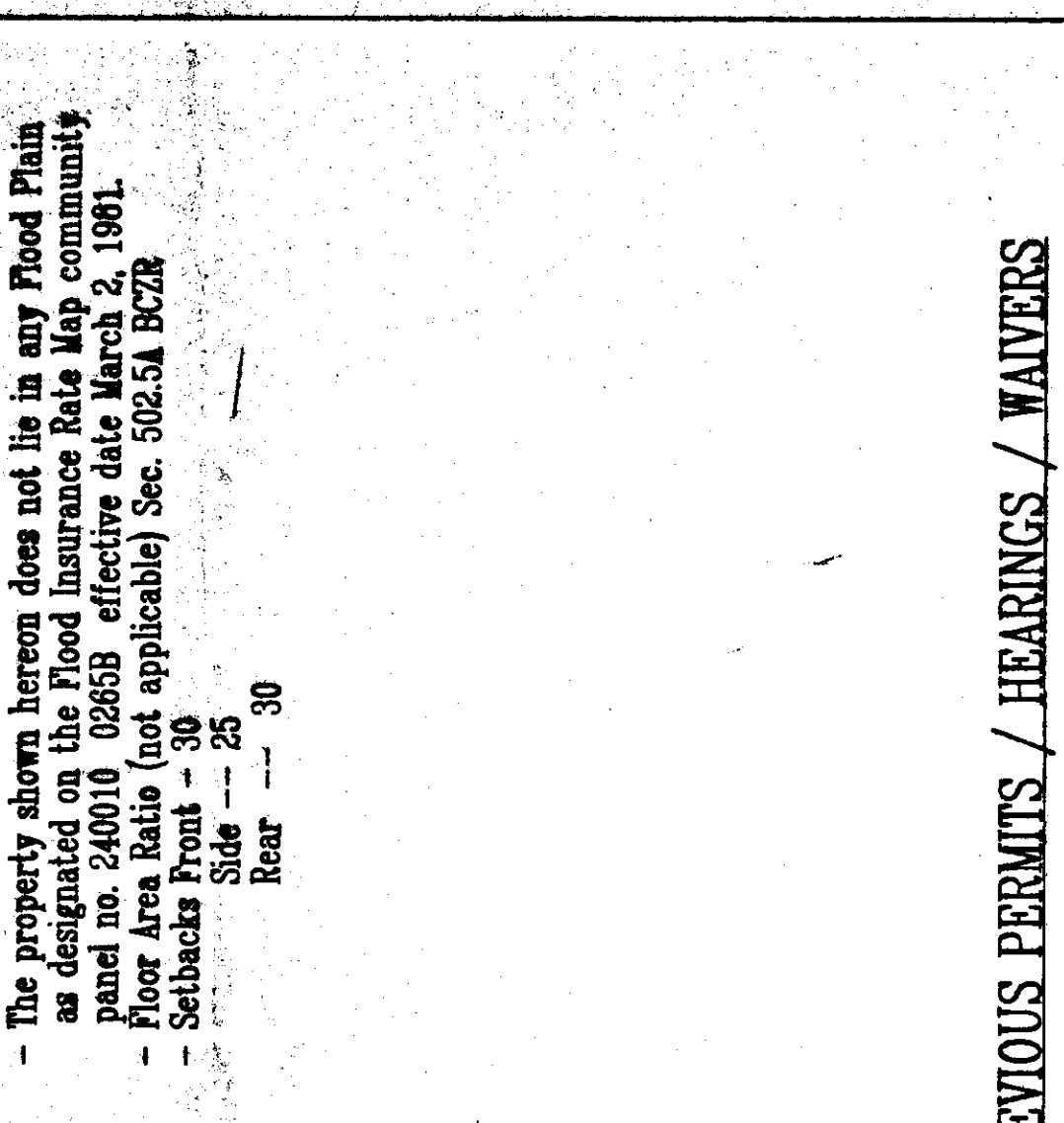
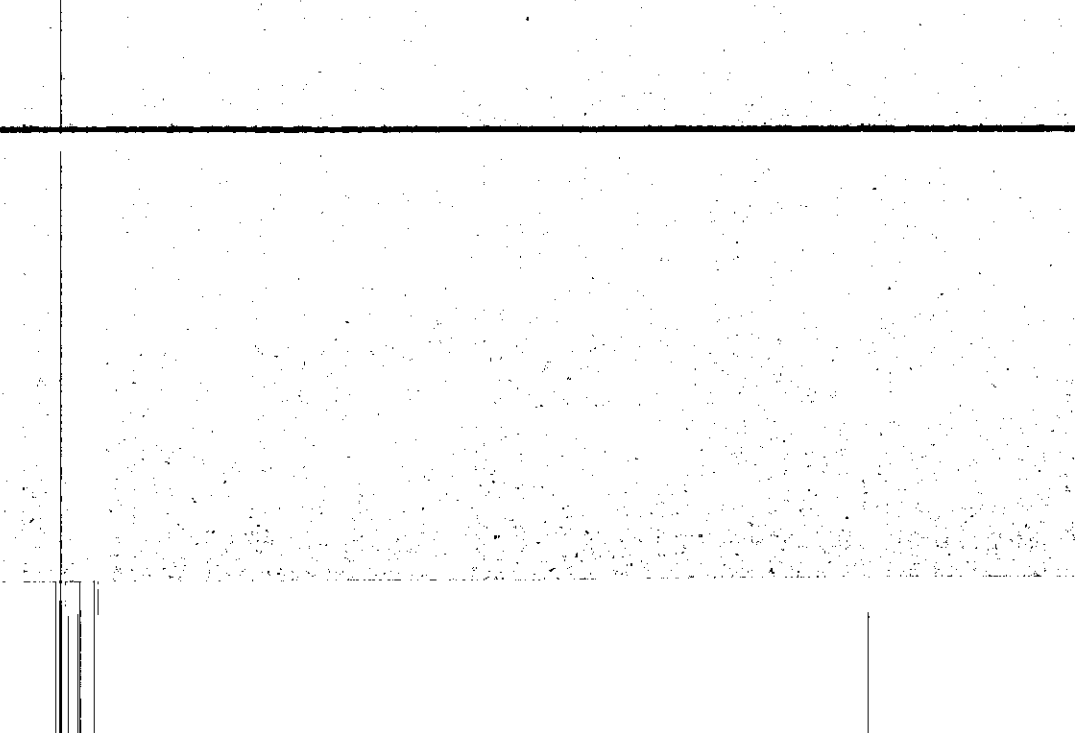
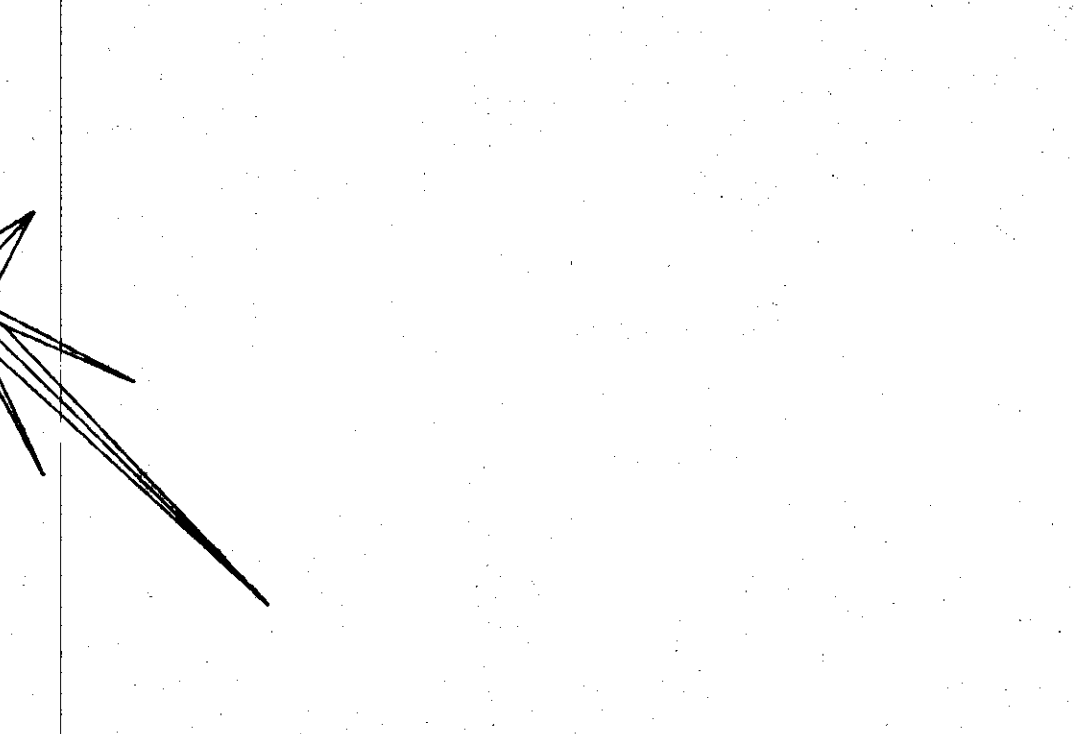
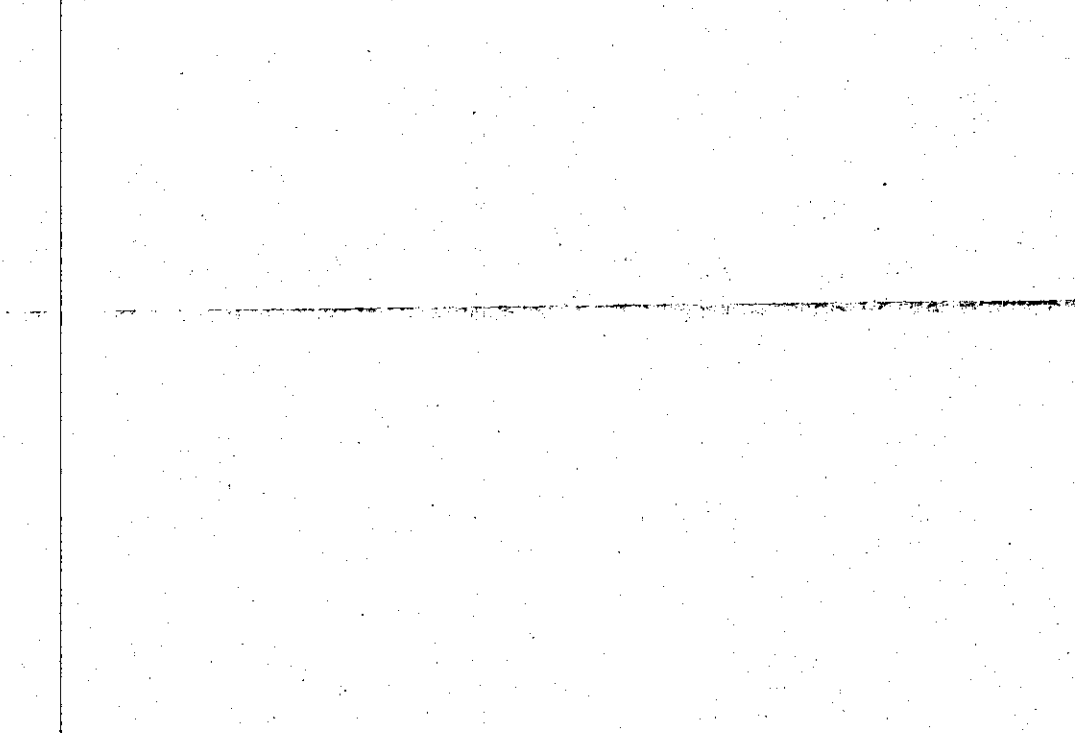
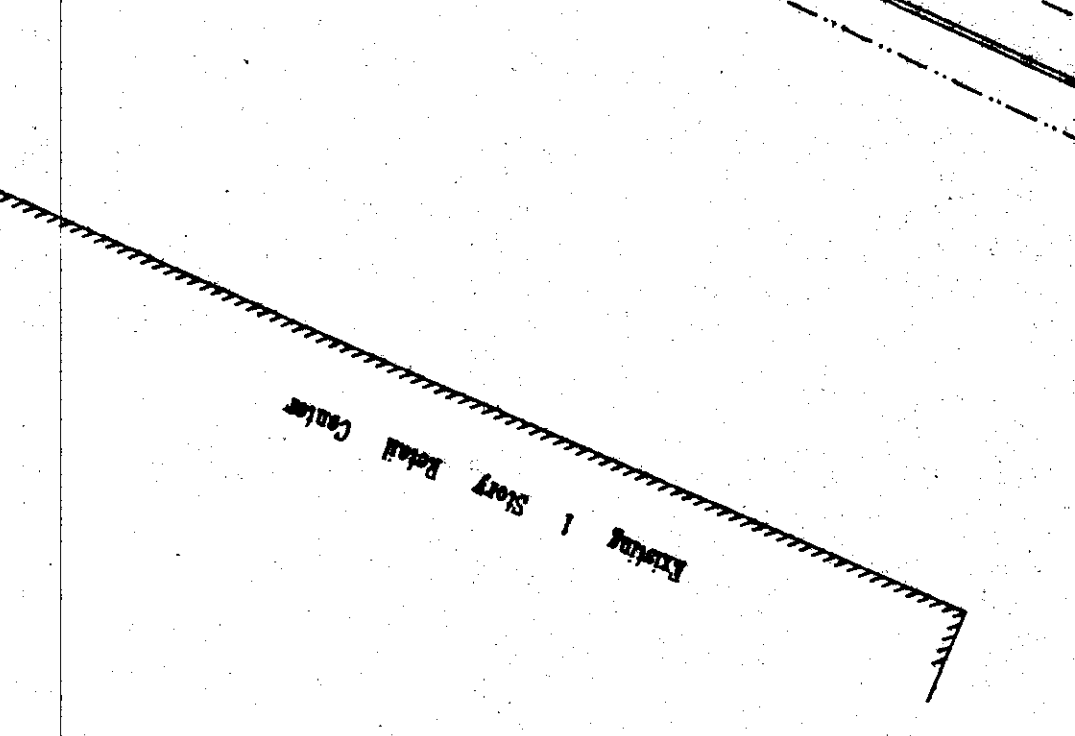
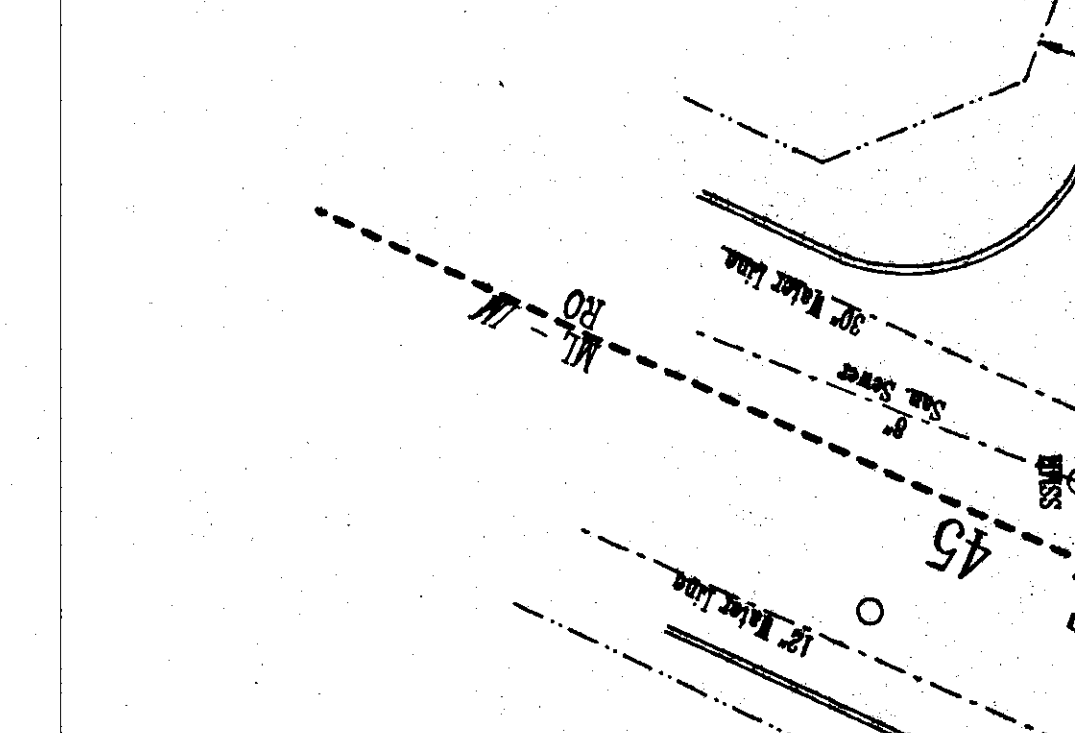
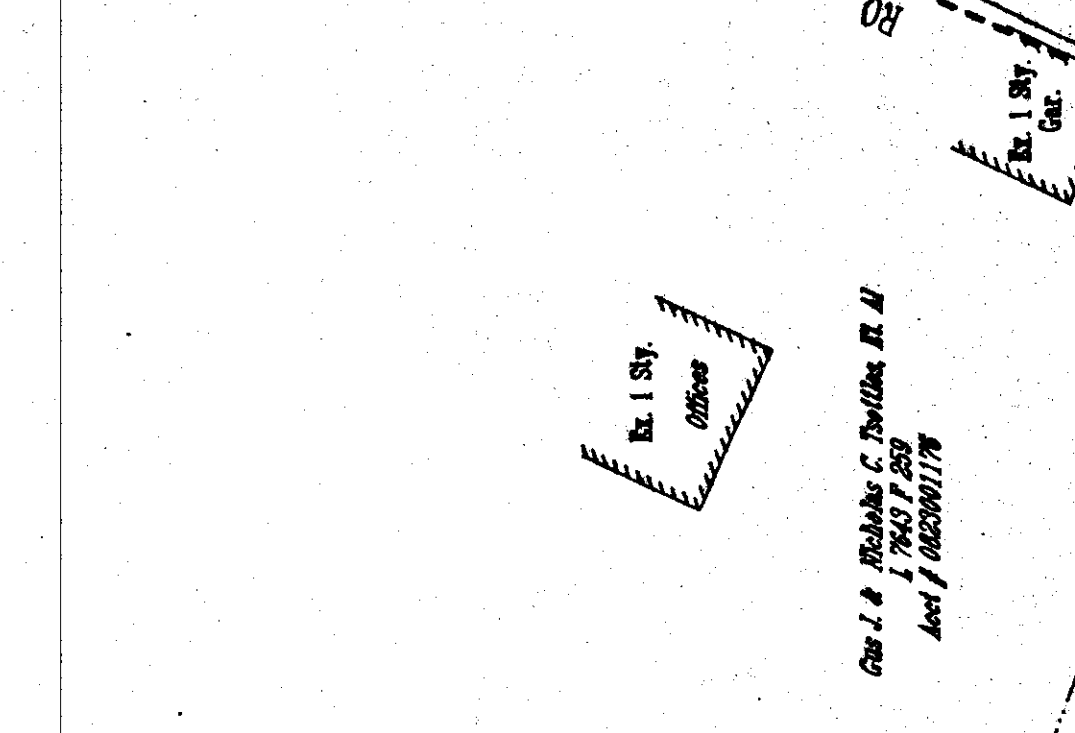
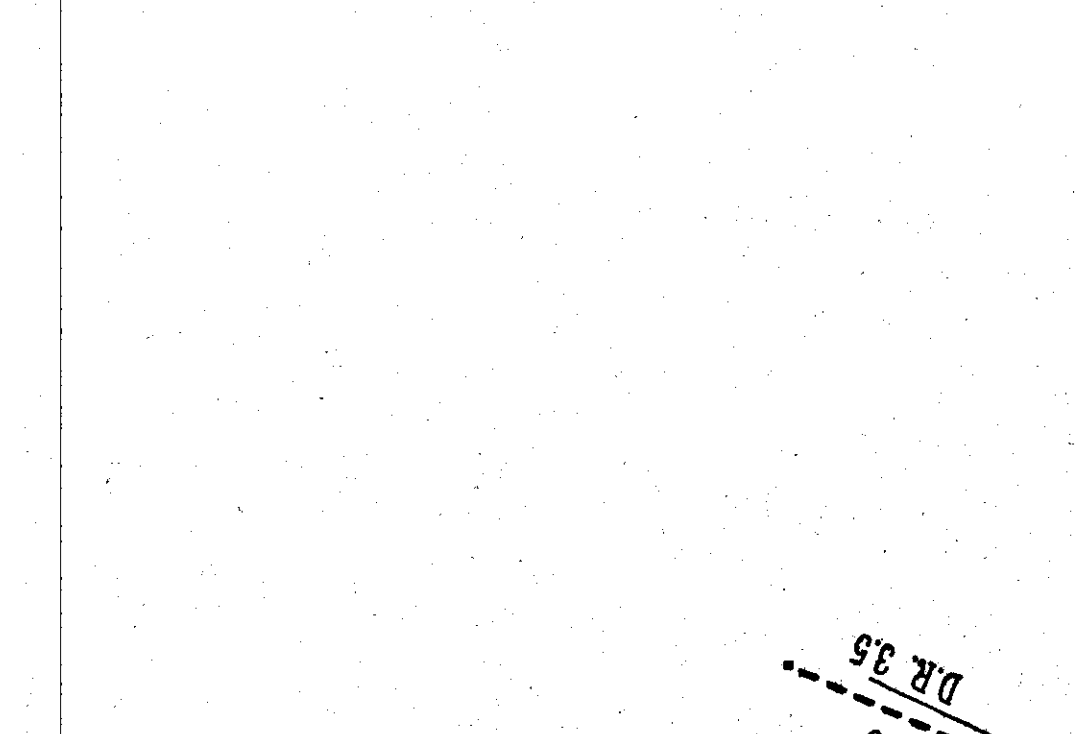
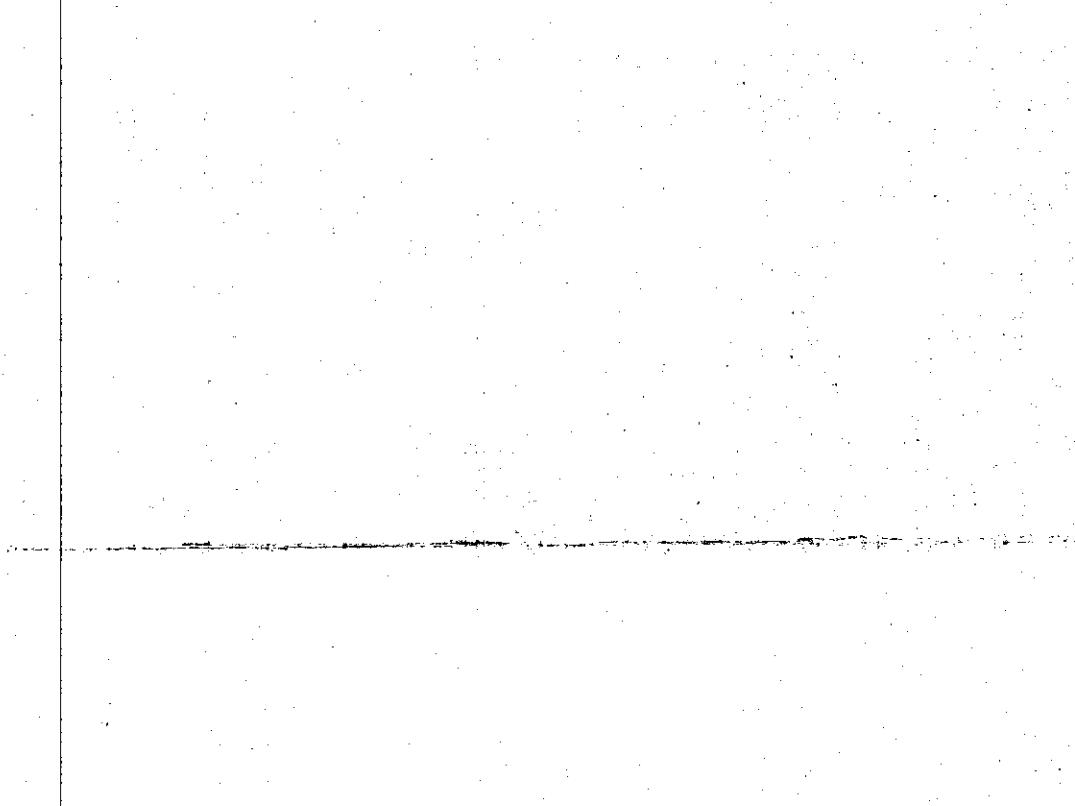
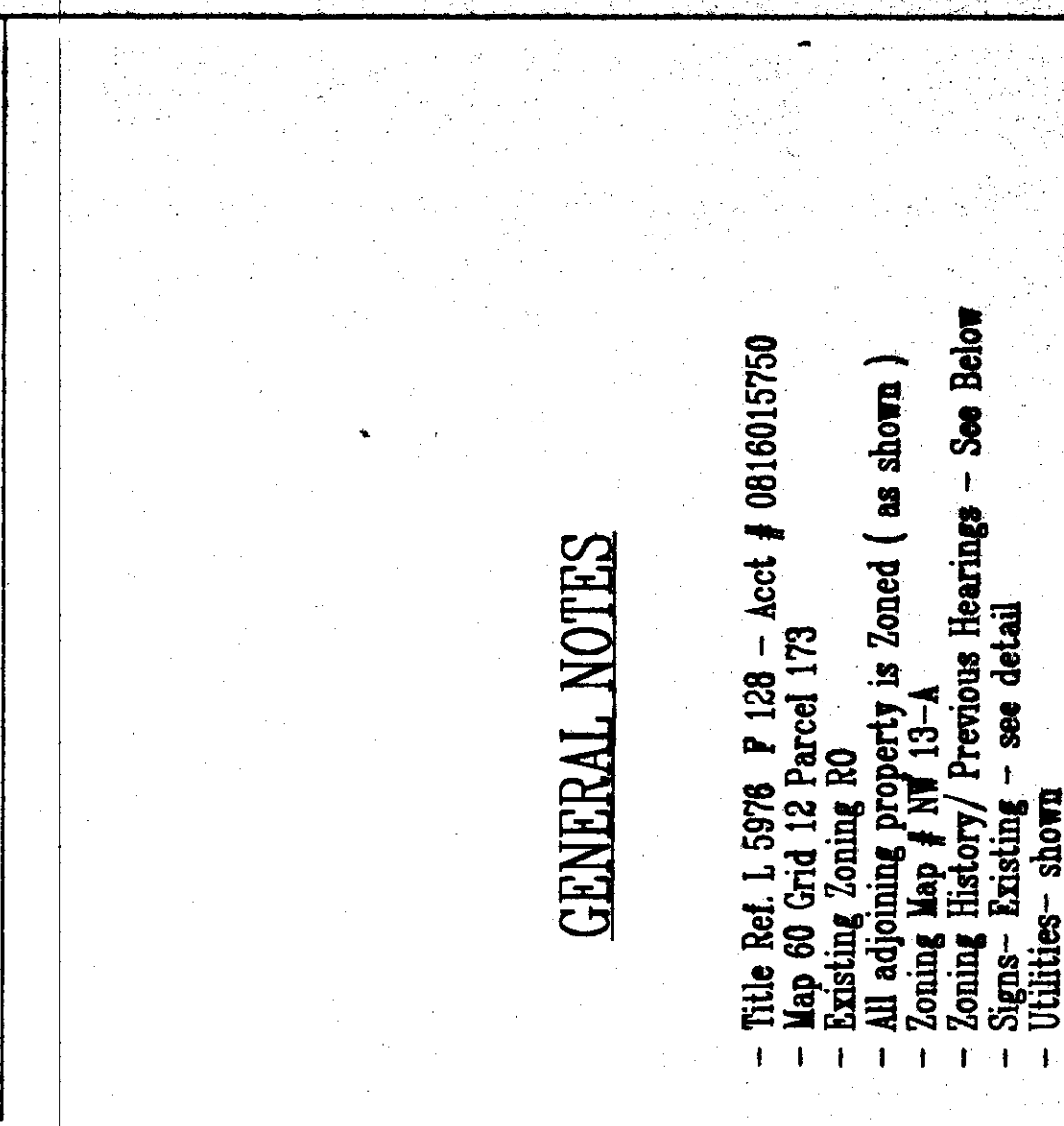
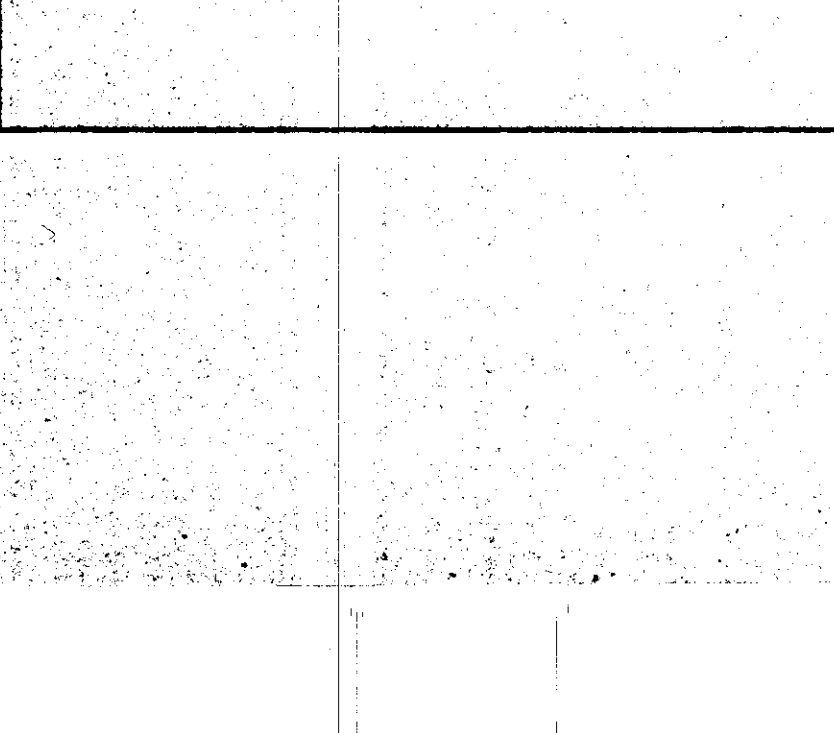
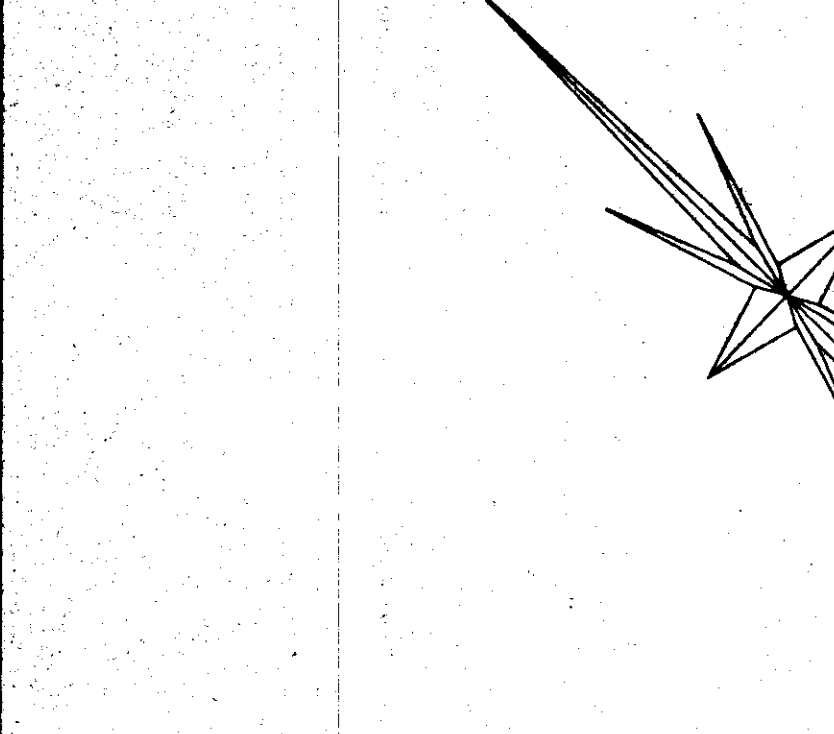
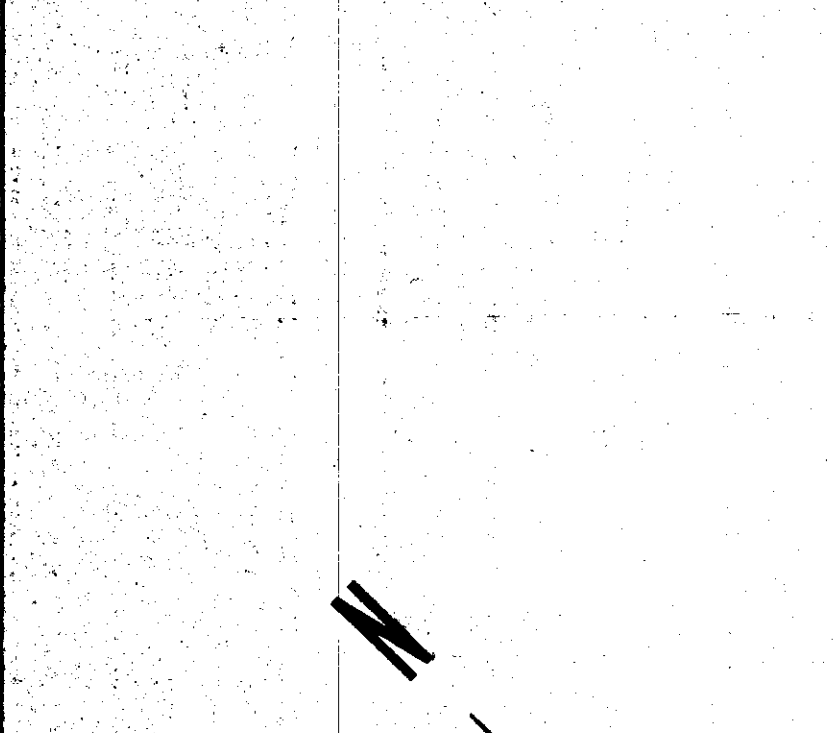
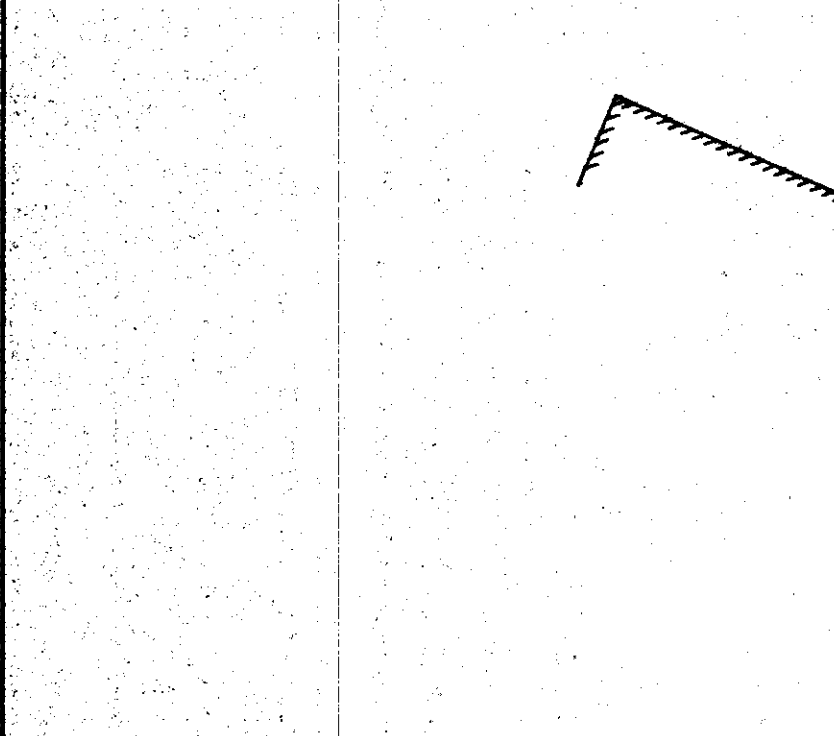
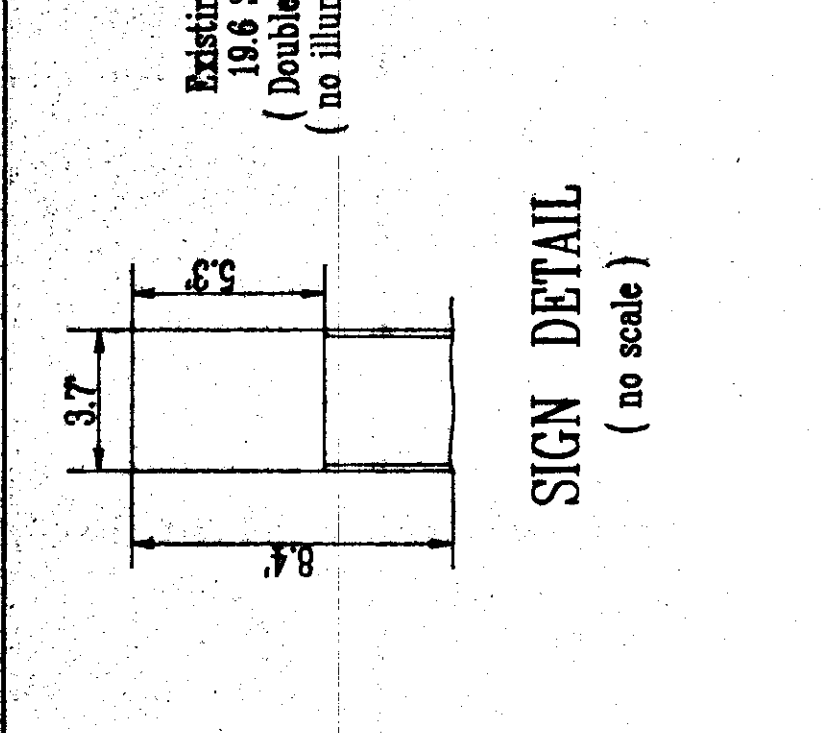
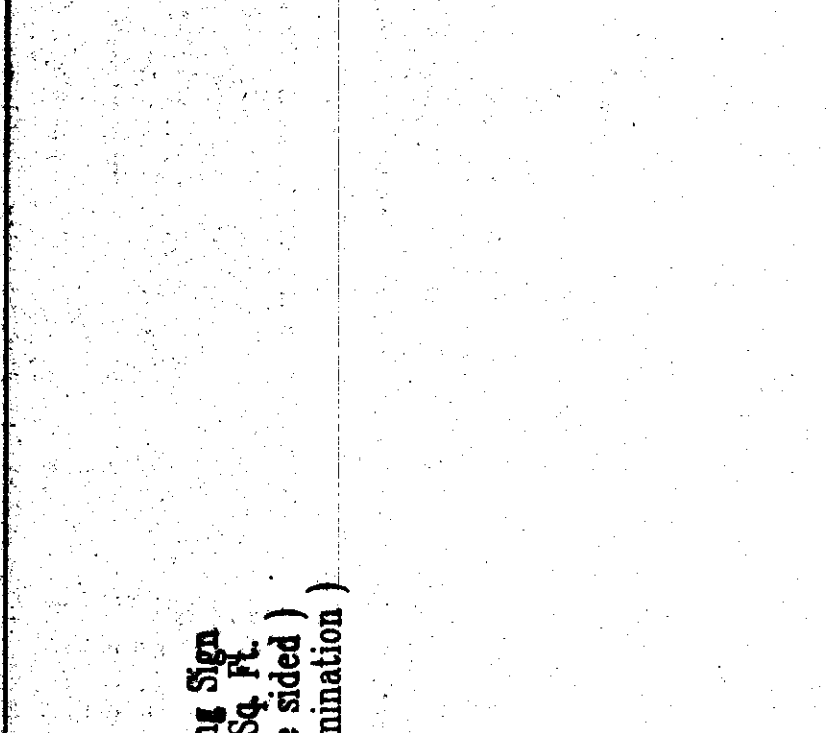
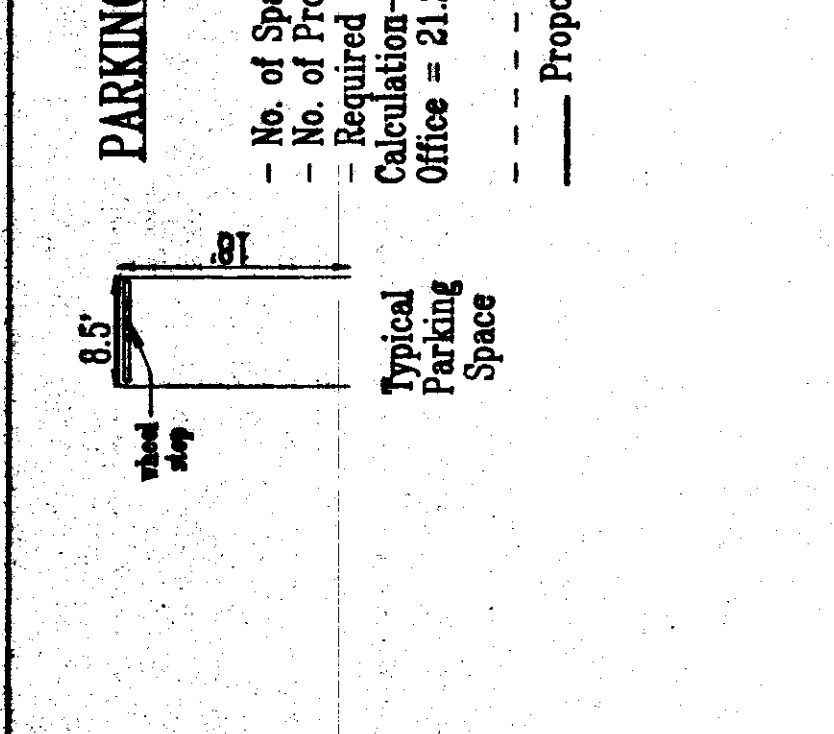
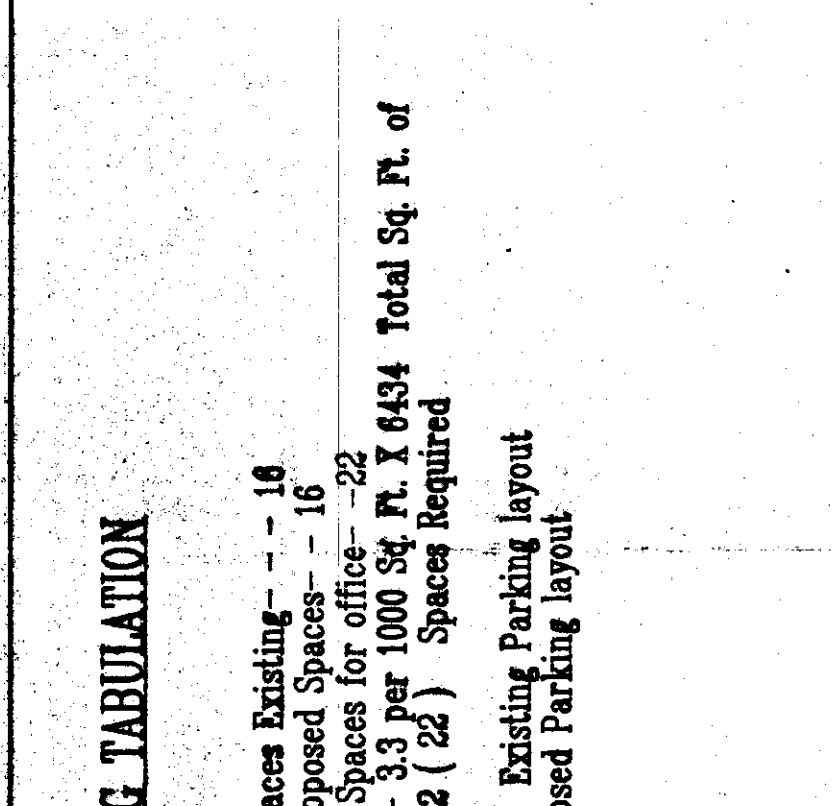
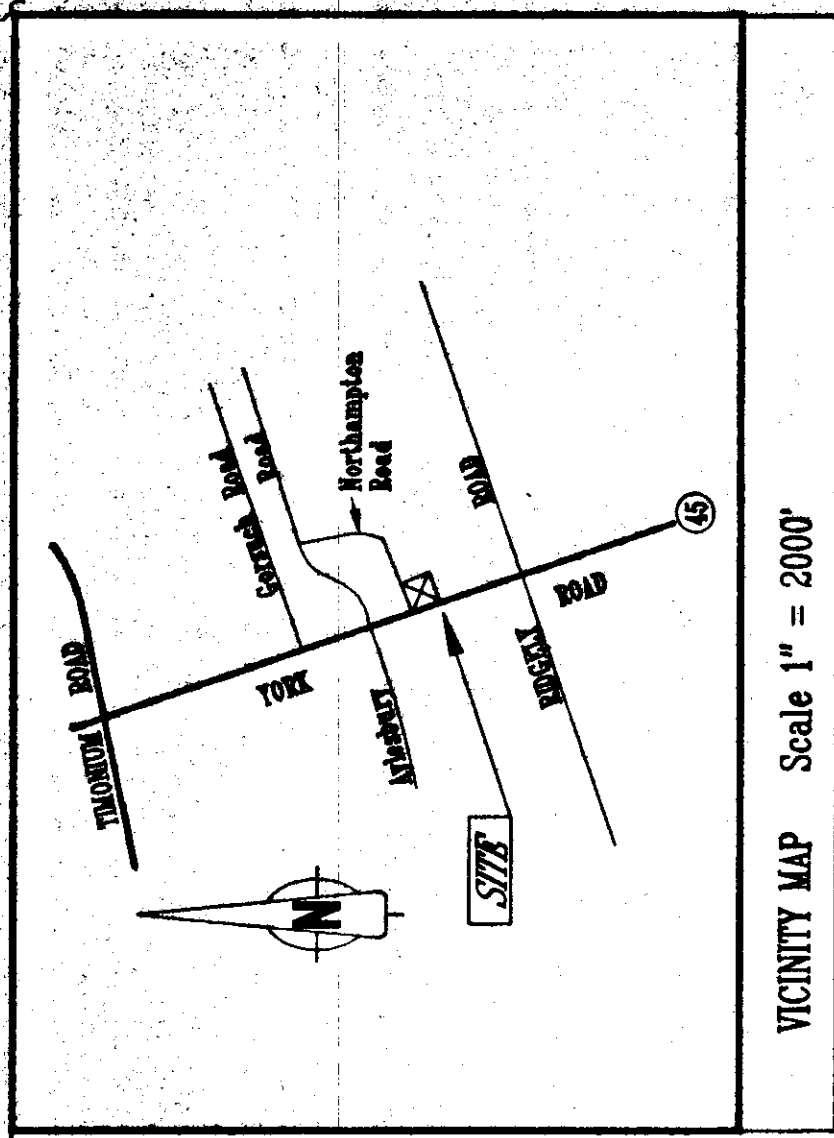
PROPERTY OF

C. ALLEN PECK JR. & WIFE

80 ELECT. DIST  
SCALE: 1" = 20'

BALTO. CO. MD.  
OCT. 13, 1975

















**BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
OFFICIAL ZONING MAP**

APPROVED BY  
THE BALTIMORE COUNTY COUNCIL  
JANUARY 1968  
*James L. ...*

DATE OF PHOTOGRAPHY JANUARY 1968	31 MONUM
1" = 200'	
SCALE	
LOCATION	
SHEET	

99-488-5 PHA



